Impartial and full [illegible]

OF THE

LIFE & DEAT[illegible]

Of the late *UNHAPPY*

WILLIA[illegible]

Lord Russel

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TO THE READER.

CANDID READER,

TReaſon is a Crime ſo horrid and deteſtable in its Nature, and its Conſequences are ſo fatal and deſtructive to the quiet and felicity of mankind, that the Memory of thoſe who practice it, ought to be wholly obliterated, and their Names together with their Crimes, juſtly deſerves to be ever buried in oblivion, & ſleep in a perpetual ſilence, were it not that the expoſing their Crimes ſerves as ſo many Sea marks, to prevent others from ſplitting upon the ſame Rocks, And were not the publiſhing the ſad and deplorable Calamities whereinto ſome have been involved, and the wretched and miſerable ends which others have drawn upon

upon themselves by their hurtful and obnoxious practices, the most likely means to Caution those who survive, against intermedling with their Crimes, that so they may escape their punishment; which is the design of the ensuing Tract.

I have endeavoured throughout the whole to relate only the matter of fact, without any kind of reflection or partiality; supposing that what is contained therein, is so plain and easie, that it needs no explanation; And therefore I shall say no more concerning it, but conclude with my hearty wishes that those who read this Tract, may be provoked thereby to an imitation of those who were the first Founders of this noble Family, in their Serviceableness and Loyalty to the Crown, and Cautions against the practices which proved so fatal to the unhappy Lord Russel; *And that all who have any designs against the King's Life or Government may Perish.*

A. L.

AN HISTORICAL AND Exact Account OF THE ORIGINAL and RISE OF THE EARLS of *BEDFORD*, &c.

Together with a Full and

Impartial Account OF THE LIFE and DEATH

Of the Late Unhappy

William Lord *Russel.*

THE Earls of *Bedford* have all of them descended from a very Ancient and Honourable Family, whose first Founders lived about *Dorset-shire*, in which County they were possess'd of several fair Lordships, even in the time of King *John*:

and in the twenty first of *Henry* the Seventh, *John Russel* Esquire, a very Learned and Ingenious Gentleman, and very well versed in divers Languages, laid the first Foundation of all those Honours which that Noble Family doth at present enjoy: For *Philip* Arch-Duke of *Austria*, in his passage from *Flanders* towards *Spain*, being by contrary Winds forc'd upon the *English* Shore, landed at *Weymouth*; where Sir *Thomas Trenchard*, who lived near that Port, entertained him till he could send to Court to acquaint the King therewith; and Mr. *Russel* being his near Relation and Neighbour, and but just then returned from Travel, he invited him upon this occasion to his house, to wait on the Duke, who was so extreamly pleased with his extraordinary parts, that he importuned him to bear him Company to the Court, which then resided at *Windsor Castle*: In which Journey the Duke was so affected with his learned discourse, and generous Port and Carriage, that he recommended him to the King, as a person whose profound Parts and Acquirements rendred capable of serving the Crown in a more than ordinary Employment: Upon which Commendation the King received him into his Service, who dying soon after, his Son and Successor, *Henry* the Eighth, received him likewise into his Service, and bestowed upon him several considerable Employments. When the King went to prosecute his War with *France*, he attend-

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ed him thither as one of the Gentlemen of his Privy Chamber; and after the taking of *Themoune* and *Tournay* by King *Henry*, he obtained a Grant in Fee, bearing Date 8 *Henry* 8. of certain Lands in *Tournay*; and upon the Agreement between that King and the King of *France* for the Surrender of *Tournay* to the *French*, on these Conditions, That he should pay *Henry* Six hundred thousand Crowns within the term of twelve Years; that the *Dauphin* should Marry the Lady *Mary*, King *Henry*'s young Daughter; which Marriage if it took not effect at the years of Consent, then it should be re-delivered to the *English*: That Cardinal *Woolsey* whom the King had when he first took it made Bishop thereof, should have a thousand Marks paid him yearly for the Revenues of the said Bishoprick: He was by Letters from King *Henry* impowered to fulfill it: And being present at the taking of *Morleis* in *Britatany*, he there in testimony of his extraordinary Merits in that Siege, received the Honour of Knighthood.

And his many Services for the Ctown still raising him higher in the Kings Favour, he was in the fifteenth year of that King made Marshal of the Marshalsie of the Kings House; (now called Knight Marshal) and employed in several negotiations beyond the Seas, as to

Rome and *France*: And when King *Henry* deſigned to renew his War with *France*, he agitated the buſineſs with the Duke of *Burbon*, at that time Conſtable of *France*, fomenting his diſcontents towards the *French* King, and perſwading him to take part with *Charles* the fifth, Emperour of *Germany*, who was King *Henry*'s Confederate; and was likewiſe intruſted to treat with the Emperour, and impowered by a ſpecial Commiſſion under the Great Seal, to take an Oath of him and the Duke of *Burbon*, to aſſiſt King *Henry* in that War: And for the furthering thereof, he went through *Lorain*, having in order thereunto obtained Letters from the Regent of *Flanders* to the Duke of *Lorain*, for his free Paſſage, dated *October* 21.

And the next year he was at the Battle of *Pavia*, where *Francis* the firſt, King of *France*, was overthrown and taken Priſoner by the Duke of *Burbon*: And in the twenty fourth of King *Henry* he attended him into *France*, firſt to *Calis*, and then to *Boloign*, where the two Kings gave great and Royal Entertainments to each other: After which he was imployed in *Italy*, and other parts beyond the Seas; as appears by divers Letters which are without date, as was uſual in thoſe days: In all which Employments he diſcharged himſelf ſo much to the Kings pleaſure and content, that

that after his return, he was in the twenty ninth year of King *Henry* made Comptroller of the Kings Houſhold, and ſworn one of his Privy Council; and managing thoſe places of truſt with Prudence and Loyalty, he was in the following *March* made a Peer of this Realm, by being advanced to the Title and Dignity of a Baron. And ſo high was he in King *Henry*'s favour, that when that Prince diſſolved the greater Monaſteries, he obtained a Grant from him, bearing date 4 *July*, to himſelf and *Ann* his Wife, and to the Heirs of their Bodies, lawfully begotten, of the whole Site and Circuit of the rich Abbey of our Lady, and St. *Rumon* of *Taveſtoke*, in the County of *Devon*; and the Burrough and Town of *Taveſtoke*, and of the Mannors of *Hundewike*, *Morwell* and *Morwel-ham*, *Mylton Abbot*, alias *Mylton Leigh*, *Lamerton*, *Hole*, *Brenton*, *Wike-Dabernon*, *Peter Stavy*, *Ottrew*, alias *Ottrey*, *Whitchurch*, and *Newton*, with the Hundred of *Hundewike* (otherwiſe called the Hundred of *Taveſtoke*) as alſo of the Rectory and Vicaridge of *Taveſtoke*, and the Mannor of *Antony* in *Com. Cornub.* and of the Burrough of *Denbury*, with the Mannors of *Denbury*, *Plymſtoke*, *Worington*, *Towike*, *Exwike*, *Borleigh*, *Oldridge*, *Tavelinch*, *Wimple*, *Wood-Marſtone*, *Thriſtenſtove*, *Boriington*, and *Thornwod*; all in *Com. Devon.* And pertaining to the ſame diſſolved Monaſtery of

Taveſtoke. Alſo of the Mannor of *Hawkwell* in *Com. Somerſet*, and all the Mines of Tin and Lead in *Denbury* and *Plymſtoke*, the Advouſons of the Rectories appropriate and not appropriate, and divers other Lands, parcel of the diſſolved Monaſtery of *Donkiſwell*, in *Com. Devon*: Likewiſe of the Houſe of the Fryars Preachers in *Exeter*, with the Church, *&c.* paying 36. *l. per annum* to the Court of *Augmentation*, and 248. *l.* more for all Services: And in the *October* following he obtained a Grant likewiſe of the Mannor of *Tory-Fitz-Pain*, with the Moiety of the Advouſon of the Church of *Charlton-Makarel*, in *Com. Somerſet*, in Fee, and of the Mannor of *Abbots-Aſton*, in *Com. Bucks*, belonging to the diſſolved Abbey of St. *Albans*, in *Com. Hertford*.

About which time he was made Warden of the *Stannaries*, in the Counties of *Devon* and *Cornwall*, and ſoon after created Knight of the moſt noble Order of the Garter, and conſtituted Lord high Admiral of *England* and *Ireland*; and upon the Erecting a Council in the *Weſtern* parts of the Realm, he was made Preſident of the Counties of *Devon*, *Cornwal*, *Dorſet* and *Somerſet*. And the ſame year upon ſome new difference ariſing between *Henry* and the *French* King, he was ſent over thither, accompanied with *William* Earl of *Southampton*, and a few *Northern* Horſe; *Monſieur de Vendoſme*

doſme being then commanded to raiſe Forces in *Picardy*.

After his Return he was made Lord Privy Seal; and in the 36th year of *Henry*'s Reign the King made him Captain General of the Vant-guard of his Army, for that great expedition which he made into *France* when he won *Boloign* from the *French* King. This Army was by King *Henry* apparelled in blew Coats, guarded with Red, with Caps and Hoſe parti-coloured, their Caps being fitted to their Head-peices.

And he was by *Henry* when he lay on his Death-bed, appointed to be one of the ſixteen Councellors to his Son Prince *Edward*; by whom he was conſtituted Lord High Steward of *England* for the Solemnity of his Coronation.

In the ſecond year of *Edward*'s Reign there were Commiſſioners appointed for the pulling down of Images in Churches, who were ordered to begin at St. *Paul*'s in *London*, and thence proceed throughout *England* and *Wales*; which Reformation occaſioned great Commotions in the *Weſtern* parts of *England*. A certain Prieſt ſtabbing one of the Commiſſioners to the heart for pulling down certain Images; which fact of his was ſo favoured by

the *Corniſh* and *Devon-ſhire* Ruſticks, that about ten thouſand of them roſe in Arms under the Leading of *Humphry Arundel* and others, and ſetting down before the City of *Exeter*, laid cloſe Siege to it; and in the mean while ſent up ſeveral Articles which they had agreed upon to the King, wherein they required to have Maſs celebrated as in time paſt it had been, to have holy Bread and Holy Water, in remembrance of Chriſt's Body and Blood, and to have the ſix Articles re-inforced, *&c.* The King in his Anſwer pitied their Ignorance, reproved their Saucineſs, and offered a general Pardon to as many as would deſiſt in time, concluding that for his part he deſired to live no longer than he ſhould be a Father to his People; and as God had made him their King, ſo he had commanded them to obey; proteſting, that if they did not, they ſhould feel the power of his Sword; and adviſing them therefore to embrace Mercy whilſt it was offered, leſt the blood ſpilt by their means, ſhould cry from the Earth for vengeance againſt them, and be heard by the Lord of Heaven: But they ſtill perſiſting in their Traiterous Attempts, he ſent an Army againſt them, under the Command of this riſing and fortunate Lord, who endeavouring to relieve the City of *Exeter*, had a ſharp Skirmiſh with them at

Fen-

Fenninton *Bride*, wherein with very little loſs he ſlew ſix hundred of the Rebells, relieved the City, and took four thouſand Priſoners; the remainder being afterwards utterly overthrown, and moſt of them deſtroyed on *Clift-Heath*, the Conſecrated Hoſt, Crucifix, Croſſes, Conſecrated Banners, and holy Bread, and holy Water, which the Rebells had brought into the Field with them, vainly fancying that by vertue of them they ſhould have aſſured victory to themſelves, were all trampled under the Souldiers feet; and *Arundel* with three more of their chief Captains, were taken and executed at *London*.

And as a Reward of his conduct and valour, he was for this and the many other ſervices he had rendred to the Crown, advanced to the Dignity of Earl of *Bedford*, *January* the 19. 1550. being the Third year of King *Edwards* Raign: By whom he was the next year ſent as one of the four Embaſſadors to *Guiſnes* in *France*, where they were to meet with the like number to treat of a peace between both Realms. And in the firſt year of King *Edwards* Raign, upon the diſcovery of a deſign to tranſport the Lady *Mary* the Kings Siſter from *England* to *Antwerp*, he was ſent into *Eſſex*, where ſhe then reſided, with two hundred men under his command, to prevent any ſuch attempt. After

After this, upon the death of *Edward*, and the Coronation of *Mary*, he was by a new Patent made Lord Privy Seal, and was afterward ſent by *Mary* into *Spain*, to attend King *Philip* in his Voyage hither. And in *March* following, he departed this life at his Houſe in the *Strand* between the *Savoy* and *Ivy Bridge*, formerly the Biſhop of *Carliſles* Inn; but ſince rebuilt by *Robert Cecill* Principal Secretary of State to Queen *Elizabeth*, and now called *Salisbury* Houſe: He was buried at *Cheneys* in *Buckingham-ſhire*, which was a Lordſhip he had in right of *Anne* his Wife, Daughter and ſole Heir to Sir *Guy Sapcotes*, leaving Iſſue his Son and Heir *Francis*: his Wife ſucceeded him, and when ſhe dyed, ſhe gave by her will bearing date 19th of *Auguſt*, 5 and 6 *Philip* and *Mary*, her Mannor of *Thornhawe* to her Grandſon the Lord *Edward Ruſſel* and to his Heirs.

John, who had thus by his Extraordinary merits raiſed his Family to Wealth and Honour, being now dead, his Son *Francis* Lord *Ruſſel*, to whom he had bequeathed his Collar, his Robes of the Garter, and his Parliament Robes, ſucceeds him in the Dignity and Title of Earl of *Bedford*. In the firſt year of *Edward* the Sixth, when he was only

Lord

Lord *Ruſſel*, he was Created Knight of the *Bath* to aſſiſt at *Edwards* Coronation; and upon *Edward's* Death, he did together with Sir *Maurice Berkley*, Sir *William Fitz-Williams*, and Sir *Henry Nevil*, procliam Queen *Mary*, putting themſelves in Arms for her, and received Letters from the Lords of the Council then at *London*, wherein they promiſed to joyn with him if any oppoſition ſhould be made: And after the Death of his Father, in the fourth year of her Reign, he was ſent into *France*, to proſecute the War againſt the *French*, and did good Service at the Siege of St. *Quintins* in *Picardy*: And in the year following he did by vertue of Letters which he received for that purpoſe from the Lords of the Council, raiſe a certain number of Souldiers in the Counties of *Buckingham* and *Bedford*, for the relief of *Calais*, and other parts in *France*.

In the firſt year of Queen *Elizabeth* he was made one of the Queens Privy-council, by the prudent diſcharge of which truſt he grew higher in the Queens favour; ſo that in her Second year ſhe made Choice of him to go as her Embaſſador to the *French* King; wherein he diſcharged himſelf ſo well, that upon the death of *Francis* the Second, ſhe ſent him thither again to condole his death, and to congratu-

late

late *Charles* the ninth, who was by his brothers dying without Iſſue, then King.

In the Sixth year of her Reign, upon the death of the Lord *William Grey* of *Wilton*, he was made Governour of the Town and Caſtle of *Barwick* upon *Tweed*: And the next year was employed by the Queen to treat with certain Commiſſioners from *Mary* Queen of *Scotland*, about a marriage between her and *Robert Dudley* Earl of *Leiceſter*: And upon the Birth of King *James*, then Prince of *Scotland*, Queen *Elizabeth* being deſired to be Godmother, ſhe ſent the Earl of *Bedford* in her ſtead, with a Font of pure Gold, as an Honorary Gift at the Solemnity of his Chriſtening: And in her Fifteenth year he was one of the Peers who tryed *Thomas Howard* Duke of *Norfolk*, for Conſpiring to dethrone the Queen, and bring in Foreign forces; of which he was by them found guilty, and was thereupon Condemned and Executed.

In the Twenty fourth year of her Reign ſhe made him one of the Commiſſioners aſſigned by her, to treat with thoſe Embaſſadors which were then ſent from *France*, to treat about a marriage between her and the Duke of *Anjou*. And to ſhew the great reſpect ſhe had for him, ſhe Created him Knight of the

moſt

moſt Noble Order of the Garter.

In his Will which bears date 7 of *April* 26. *Eliz.* he appointed his body to be buried in the Pariſh Church of *Cheneys*; and that within five months after his death his Excecutors ſhould cauſe Twenty Godly Sermons to be Preached at *Cheneys*, *Abbots Wooburne*, and *Melchborn*, and that they ſhould give for each of thoſe Sermons Twenty ſhillings. He bequeathed to the Lord *Burleigh*, then Lord High Treaſurer of *England*, his *George* of *Lapis lazuli*; garniſhed with Gold, Diamonds and Rubies; and all his Ancient Manuſcript Books of *Wickliff's* Works. To the Lord *John Ruſſel* he gave his Parliament Robes, and Robes of the Grater, with his Collar of the Garter, and *George*. And he gave Twenty pounds *per annum* to be beſtowed on two poor Students of Divinity in *Univerſity Colledge* in *Oxford*, called the Earl of *Bedford*'s Scholars, to be named and appointed by his heirs for ever. He had two Wives, the firſt was *Margaret* daughter to *Sir John St. John*, and Siſter to *Oliver* Lord *St. John* of *Bletſo* in the County of *Bedford*, by whom he had Iſſue, four Sons and three Daughters: The firſt was *Edward* who died without Iſſue: The Second was *John* who married *Elizabeth* daughter of Sir *Anthony Cook*

Cook, Widow of Sir *Thomas Hobie*, by whom he had Iſſue two Daughters, *viz. Elizabeth* who died unmarried, and *Ann* Wedded to *Henry* Lord *Herbert* Son and Heir to *Edward* Earl of *Worceſter*, but died in his Fathers life-time: Thirdly, *Francis*, who was ſummoned to Parliament in the ſeventh year of *Edward* the Sixth, his Father then living, and having Married *Julia* the Daughter of Sir *John Foreſter* Warden of the middle Marches towards *Scotland*; he was ſlain by the *Scots* upon a day of Truce, and left Iſſue, *Edward* afterwards Earl of *Bedford*: And fourthly, Sir *William Ruſſel*. His firſt Daughter *Ann* was Married to *Ambroſe Dudly* Earl of *Warwick*: His ſecond Daughter *Elizabeth* was Married to *William Bourchier* Earl of *Bath*; and his third Daughter *Margaret* to *George Clifford* Earl of *Cumberland*.

His ſecond Wife was *Bridget*, daughter to *John* Lord *Huſe*, and Widow both to Sir *Richard Moriſon*, and *Henry* Earl of *Rutland*; but he had no Iſſue by her; he departed this life *July* 28. 1585. in the Fifty eighth year of his Age; was ſucceeded in the Earldom by *Edward* his Grandſon, Son to *Francis* his third Son, who was ſlain by the *Scots*; who took to Wife *Lucie* Daughter to *John* Lord *Harington*, and dyed *May* the third, *Anno* 1627.

Where-

Whereupon *Francis* Lord *Ruſſel* of *Thornhawe*, Son of *William*, who was the fourth Son to the ſaid *Francis* Earl of *Bedford*, ſucceeded him in his Honours. Now *William* the Father of this *Francis* was by Queen *Elizabeth* made General of the Horſe to thoſe Engliſh Auxiliaries which ſhe ſent into the *Netherlands*, and Governour of *Vliſhing*: And in the twenty ſixth year of Queen *Elizabeth*, being firſt Knighted, he was made Deputy of *Ireland*. And upon King *James*'s coming to the Engliſh Throne, he was by him made Lord *Ruſſel* of *Thornhawe*; and having married *Elizabeth*, Daughter to *Stenoay Long*, he left Iſſue this *Francis*.

Who ſo ſucceeding *Edward* his Couſen-german, married *Katherine* the Daughter and ſole Heir of *Giles Brides* Lord *Chandos*: And was the principal Undertaker, in that great and chargeable Enterprize of draining thoſe vaſt Fenns called the great *Level* extending into the Counties of *Northampton*, *Cantabr*. *Hunt*. *Norfolk*, and *Lincolnſhire*: But notwithſtanding he made a large progreſs therein, he never lived to finiſh it; he was forc't to obey the ſummons of death, *May* the ninth, *Anno* 1641. leaving Iſſue four Sons, *viz*. *William* Lord *Ruſſel*: Secondly, *Francis*, who died unmar-

unmarried: Thirdly, *John*, who was a Colonel on the Kings ſide in the late Civil Wars: And fourthly *Edward*. And four Daughters, *viz. Katherine*, married to *Robert* Lord *Brook*, *Anne* to *George* Earl of *Briſtow*, *Margaret* to *John* Earl of *Carliſle*, and *Diana* to *Francis* Lord *Newport*, Treaſurer of the Houſhold to King *Charles* the ſecond.

William Lord *Ruſſel* his Eldeſt Son, who was at the Coronation of *Charles* the firſt made Knight of the *Bath*, ſucceeded him in his Honours, and was elected into the Society of the moſt noble Order of the Garter, *Anno* 1672. He married *Anne* Daughter and Heir to *Robert* Earl of *Somerſet*, by whom he hath had Iſſue ſeven Sons; *viz. Francis*; ſecondly, *John*; thirdly, *William*, who being the eldeſt was living, was the late unhappy Lord *Ruſſel*, who married *Rachel* Daughter and Coheir to *Thomas* late Earl of *Southampton*, Lord High Treaſurer of *England*; and Widow of *Francis* Lord *Vaughan*, eldeſt Son to *Richard* Earl of *Carberie*: Fourthly, *Edward*; fifthly, *Robert*; ſixthly, *James*; and ſeventhly, *George*. And three Daughters, *viz. Diana*, firſt married to Sir *Grevil Verney*, and afterwards to *William* Lord *Allington*, Conſtable of the *Tower*, *Anne* who died young, and *Magaret*.

William

WIlliam Lord *Ruſſel* the Eldeſt Surviving Son of *William* Earl of *Bedford*, was born at *Bedford*-Houſe in the *Strand*, *September* the Twenty-ninth, in the year 1637. His Childhood and Youth were ſpent in Learning, and the fitting him by a Sober and Generous Education, for what future Employment the greatneſs of his Birth and Fortune might call him to; and when he had ſpent a conſiderable time therein, he went into ſeveral places beyond the Seas, to inſtruct himſelf in the Manners and Cuſtomes of our Neighbour Nations. After his Return he went to Sea, and with an undaunted Courage and Reſolution adventured his Life in his Service of the King and Country, againſt the Incroaching *Hollander*; under the Command of His Royal Highneſs, *James* Duke of *York*, in which Service, and in the Wars abroad, he acquired a great deal of Reputation and Honour.

He was generally accounted a very Sober and Religious Perſon, and one who in a Superlative Degree, indeavoured to Diſcharge the Duties of his ſeveral Relations, and approve himſelf a moſt Dutyful and Obedient Son, a moſt Loving and Faithful Husband, a tender and Compaſſionate Father, a kind and an indulgent Maſter, and a Friendly and Peaceable Neighbour.

He always Professed the Protestant Religion, and owned himself a Son of the Church of *England*; and kept a Chaplain in his House, and had Divine Service constantly read every day in his Family: And was for the Evenness and Sweetness of his Temper, generally beloved by all that knew him, or had any dealings with him. So that he would in all Probability have been one of the most Honourable and Happyest Persons of our Age, had he forborn those undue and Illegal Practices whereby he Rendered himself Obnoxious to the Government and the Laws; the Event whereof, proved Fatal to him, and Issued in his Ruine, as will appear by the Remaining part of this History.

The Inhabitants of *Bedfordshire* had such an Esteem and Honour for him, that upon the calling of several of our Late Parliaments, the Freeholders of that County unanimously Elected him to serve for them in Parliament, as Knight of the Shire. And when the *Popish Plot* was discovered in the Year 1678. By *Titus Oates*; he was one of those who did with a more then Ordinary Briskness Press the Prosecution thereof, the Securing the Protestant Religion, against the Attempts of the *Papists*, and always when any thing was moved in the House of Commons, to the Prejudice of those who Profess'd the *Roman Religion*, he never failed of giving his Vote for it. And at the

opening of the Parliament which ſate at *Weſtminſter*, *October* 26. He was the firſt that ſpoke in the Houſe of Commons, Directing himſelf to the Speaker, (who was ſaid by ſome to be prefer'd to the Chair, partly through his Influence and Advice) In the following Speech.

Mr. *Speaker*,

SEeing by Gods Providence, and his Majeſties Favour, We are here Aſſembled to conſult and adviſe about the great Affairs of the Kingdom. I Humbly conceive it will become us to begin firſt, with that which is of moſt Conſequence to our King and Country; and to take into Conſideration how to ſave the Main, before we ſpend any time about Particulars. Sir, I am of Opinion, that the Life of our King, the Safety of our Country, and the Proteſtant Religion, are in great danger from Popery; and that either this Parliament muſt Suppreſs the Power and Growth of Popery, or elſe that Popery will ſoon deſtroy, not only Parliaments, but all that is near and dear to us; and therefore, I Humbly move, that we may Reſolve to take into our Conſideration, in the firſt Place, how to Suppreſs Popery, and prevent a Popiſh Succeſſor: without which, all our Endeavours about other Matters will not ſignify any thing; Therefore this juſtly Challengeth the Precedency.

And upon the making a Motion in that House for the bringing in of the Exclusion Bill, he Declared his Approbation thereof, as the most likely to Accomplish what they were then driving at, (which some are apt to Suspect by what has fallen out since, was somewhat more then was then Pretended.) And therefore to encourage the Motion, and further the bringing in of that Bill, he made the Following Speech.

Mr. Speaker,

IF *we consider the Train of ill Consequences, that attend a Popish Successor, and the certain Miseries that must fall on this Nation, if ever we should have a Popish King, and how impossible the one, or improbable that the other can be prevented, but by Dis-inheriting the Duke of* York, *I think that I cannot Disagree as to the Sadness of our Condition, so it will be hard to find out any other way to Secure us. And therefore I Second the Motion, that was made by that Worthy Member, That a Committee be appointed to bring in a Bill to Dis-inherit* James *Duke of* York.

And when it was put to the Question, whether it should be brought in or not, he alwayes Voted in the Affirmative. *And when they had brought it to as much Perfection, as its passing*

their

their House would afford it; he carryed it up to the Lords, by whom it was Rejected. And up on the House of Commons Debating of his Majesties Message concerning *Tangier*, He is said to make the following Speech.

Mr. Speaker.

IF ever there should happen in this Nation any such Change, as that I should not have Liberty to Live a Protestant, I am Resolved to dye one: And therefore would not willingly have the Hands of our Enemies strengthened, as I suppose they would be, if we should give Money, whilst we are sure it must go to the Hands of the Dukes Creatures; doth not the Dukes Intereſt Endanger the Kings Life? And are not our Lives and Fortunes in Danger to be Swallowed up by his Power? And shall we yet make him stronger, by putting Money into their Hands? No Sir, they are too strong already; but whensoever his Majesty shall be pleased to free us of the Danger of a Popish Succeſſour, and Remove from his Councel and Places of Truſt, all those that are for his Intereſt, because there can be no Diſtinction made between the Dukes Intereſt, and Popish; then Sir, I will conclude, that what Mony we shall give, will be diſpoſed of according to his Majesties own Royal Pleasure, and for the true Protestant Intereſt; and I shall be ready to give all I have in the World, if his Maje-

ſty ſhall have Occaſion for it. But in the mean Time, I pray Sir, Let us not endeavour to deſtroy our ſelves by our own Hands. If we may not be ſo happy as to better the Condition of the Nation; I pray Sir, Let us not make it worſe. And until the King ſhall be pleaſed to give us Encouragement to Expreſs our Duty and Loyalty to him, by giving him Money, Let us do it making an Addreſs.

When the Houſe, *December* 17. 1680. Debated about his Majeſties Speech, made to them two days before, the enſuing Speech is ſaid to be ſpoken by him on that Occaſion.

Mr. Speaker,

SIR, Being it is ſo apparent that all our Fears of Popery, ariſe from, and Center in the Duke of York; *and that it is impoſſible the Affairs of this Nation ſhould ever Settle on a Good Proteſtant Bottom, as long as there is a Popiſh Succeſſor, which cannot be prevented, but only by the Succeſſion Bill, that there may be no ill Conſtruction made of our Deſires, I would humbly move you to offer to Supply the King with what Money he may need, for the*

Support

Support of Tangier, *and Alliances, upon his granting of the Succeſſion Bill only, that ſo his Majeſty may have no Reaſon to be Diffident of us; not doubting but that if we can once but lay a Foundation for a good Correſpondency, that his Majeſty will take ſo much Content in it, beyond what he doth now enjoy; That to preſerve it, he will afterwards grant us what more Bills may be further Neceſſary for the Security of the Proteſtant Religion: and therefore I am not for Clogging this Addreſs with any Requeſt of any thing more than that one Bill.*

When the King for ſome Weighty Reaſons of State, was pleaſed to Diſſolve his Old Privy Council, and conſtitute a new one to conſiſt of about thirty Perſons, he preferred the Lord *Ruſſel* to be one of them. It having been in all Ages accounted wiſe and politick in Princes, to oblige thoſe whom they ſuſpected not to be Hearty and Cordial Friends to the Royal Intereſt, to a Conſtancy and Perſeverance in their Loyalty and Obedience, by beſtowing Honours upon them, and preferring them to places of Truſt.

And that Parliament being Prorogued on the Tenth of the Following *January*, and Diſſolved on the Eighteenth, another was called to ſit at *Oxford*, on the twenty firſt of *March*, 1681. Whereof he being again Elected to be a Member by the Free-holders of *Bedfordſire*, he Repared thither with other Members who were Elected to ſerve in that Parliament, which by reaſon of ſeveral ſtrange and violent heats about *Fitz-Harris* his Impeachment, and divers other things, was not long liv'd, being Diſſolved by the King, on the Twenty Eighth of the ſame Month.

Many of thoſe who ſerved in this Parliament becauſe of the length of the way, the danger they apprehended they ſhould be in from the Papiſts, in a place ſo remote from *London*, *&c.* as they pretended (how truly, is none of my buſineſs to examine) but the contrary was affirmed by divers Witneſſes upon Oath, who Depoſed that there was a Deſign to Seiz the King, and compel him to agree to what they deſired, which being proved againſt one *Stephen Colledg*, who went thither with ſome of the Members, he was Tryed and Executed for the ſame at *Oxford*.

Now during the ſeveral Seſſions of Parliament

ment, after the first discovery of the Popish Plot, the Lord *Russel* associated himself very much with *James* Duke of *Monmouth*, *Anthony* Earl of *Shaftsbury*, *Arthur* Earl of *Essex*, *Ford* Lord *Grey*, *Charles* Earl of *Macklefield*, the Lord *Gerrard*, of *Brandon*, and *William* Lord *Howard* of *Escrik*, with divers more both Lords and Commons, who appeared as great Sticklers against Popery, and for the Safety of the King and Kingdom: But more especially after the Dissolution of the *Oxford* Parliament, when they frequently met, and sometimes Dined together, sometimes at publick Houses, and at other times, at some of their own Houses, or at Mr. *Shepherds*: where they were wont to discourse of several things, designing thereby only to maintain their Acquaintance, and injoy each others Company, by a Mutual Society, as they pretended. But the contrary did afterwards appear by the Evidence of *Josiah Keeling*, Collonel *Rumsey*, Mr. *West*, the Lord *Howard* of *Escrick* and several other Witnesses, who deposed upon Oath that several of them had at some of those Meetings Plotted and Conspired Treason against the Kings Person and Government. Among which Number, was the Lord *Russel*, who was thereupon apprehended and Committed close Prisoner to the *Tower*. And *July* 13. 1683.

he

he was tryed for the ſame at the *Old-Baily*, *London*.

In the morning he was carried in a Coach from the Tower to the Seſſions Houſe, where ſtanding within the Bar, and holding up his hand, his Indictment was read, which was to the following purpoſe: That he *William Ruſſul* late of *London*, had together with other falſe Traitors, as a falſe Traitor againſt the moſt Illuſtrious and Excellent Prince, our Soveraign Lord *Charles* the Second, by the *Grace of God of England*, &c. *King*, his natural Lord; not having the Fear of God in his Heart, nor weighing the Duty of his Allegiance, but being moved and ſeduced by the Inſtigation of the Devil; and the true Duty and natural Obedience, which true and Faithful Subjects of our Soveraign Lord the *King*, towards him our ſaid Lord the *King*, do bear, and of right ought to bear, wholly with drawing, and with his whole ſtrength intending the peace and Common tranquility of this Kingdom of *England* to diſturb, and War and Rebellion againſt our ſaid Lord the *King* to move, and ſtir up; and the Government of our ſaid Lord the *King* within this *Kingdom* of *England* to ſubvert; and our ſaid Lord the *King* from his *Title*, *Honour*, and *Kingly Name* of this his *Imperial Crown* of this his *Kingdom* of *England*, to put down, and de-

deprive; and our ſaid Lord the *King* to Death and final deſtruction to bring and put; the ſecond day of November, in the Thirty fourth year of the Raign of our Soveraign Lord *Charls* the Second, *King* of *England*, &c. and diyers others days and times, as well before as after, at the Pariſh of St. *Michael Baſſiſhaw*, in the Ward of *Baſſiſhaw* London, Malicioufly & Trayterouſly, with divers other Traytors to the Jurors unknown, he did conſpire compaſs imagine & intend, our ſaid Lord the *King*, his ſupream Lord, not only of his *Kingly State, Title, Power and Government, of this his Kingdom* of *England*, to deprive and throw down; but alſo our ſaid Soveraign Lord the *King*, to kill, and to Death to bring and put, and the Ancient Government of this *Kingdom* of *England*, to Change, Alter, and wholly ſubvert; and a Miſerable Slaughter among the Subjects of our ſaid Lord the *King*, through his whole *Kingdom* of *England*, to cauſe and Procure, and Inſurrection and Rebellion againſt our ſaid Lord the *King* to move, Procure, and Stir up, within this *Kingdom* of *England*. And to fulfil and Perfect the ſaid moſt Horrible Treaſons, and Trayterous Imaginations, and purpoſes aforeſaid, he the ſaid *William Ruſſel*, with other falſe Traytors, as a falſe Traytor, then and there, and divers others dayes and times, as well before as after, Malicioufly,

ſly, Trayterouſly, and adviſedly, between themſelves, and with divers other Traytors to the Jurors aforeſaid unknown, they did meet together, Conſult, Agree, and Conclude, and every of them, did then and there, Conſult, Agree, and Conclude, Inſurrection and Rebellion againſt our Soveraign Lord the *King*, within this *Kingdom* of *England*, to move and ſtir up; and the Guards for the preſervation of the Perſon of our ſaid Soveraign Lord the *King*, to ſeize and deſtroy, againſt the Duty of his Allegiance, againſt the Peace, &c. And alſo againſt the Form of the Statutes, *&c.*

His Indictement being thus Read, he was asked whether Guilty or not Guilty? To which, (after he had inquired whether he might not have a Copy of the matter of Fact Laid againſt him, that ſo he might know what to anſwer; And was told by Sr. *Francis Pemberton*, Lord Cheif Juſtice of the Common Pleas, before whom he was Tryed, that they could grant him nothing until he had pleaded, and that therefore what was then put to him was, whether he was Guilty or not Guilty,) he pleaded Not Guilty, and for Tryal put himſelf upon God and his Country. And after the Anſwering ſeveral things which he propoſed to the Court, and ſome time ſpent in diſcuſſing a poynt of Law which he ſupoſed to make for him,

him, about his Jurors having Freehold within the City of *London*, the Jury was Empaneled; whose Names were,

John Martain,
William Rouse,
Jervas Seaton,
William Fashion,
Thomas Short,
George Toriano,
William Butler,
James Pickering,
Thomas Jeve,
Hugh Noden,
Robert Brough,
Thomas Omeby.

And then Proclamation being made for information, the Clark, of the Crown bid him hold up his hand; which being done, he bid the Jury look upon the Prisoner, and hearken to his cause, and told them that he stood indicted by the name of *William Russel*, &c. upon

on which Indictment he had pleaded Not Guilty, and had for his Tryal put himself upon his Country, which Country they were. And that their Charge was to inquire whether he was Guilty of the High Treason whereof he stood indicted, or not Guilty. And if they found him Guilty, they were to inquire, *&c.* Which done, *Mr. North*, the Attormy General, and *Sr. George Jefferies*, severally spake as follows.

Mr. *North.* May it please your Lordships, and you that are sworn, The Prisoner at the Bar stands charged in this Indictment with no less then the Conspiring the death of the Kings Majesty, and that in order to the same he did with other Traytors named in the Indictment, and others not known, the Second of *November* in the Thirty Fourth of this King, in the Parish of *Bassishaw* within the City of *London*, meet and conspire together to bring our Soveraign Lord the King to death, to raise War and Rebellion against him, and to Massacre his Subjects: And in order to compass these wicked Designs, there being Assembled did conspire to seiz the Kings Guards, and his Majesties Person: This is the Charge. The Defendant saith he is Not Guilty: If we prove it upon him, it will be your Duty to find it.

Mr. *At-*

Mr. *Attorney General.* My Lord, and you Gentlemen of the Jury, moſt of our Evidence againſt this Honourable Perſon at the Bar, is to this purpoſe. This Perſon, the Duke of *Monmouth*, My Lord *Grey*, Sir *Thomas Armſtrong*, and Mr. *Ferguſon*, they were the Council of State, as I may call them, to give forth Directions for the General Riſing that hath appeared was to have been within this Kingdom. The Riſing was of great Concern and Expence, and muſt be managed by Perſons of Intereſt, Prudence, and great Secreſie. Theſe Gentlemen had frequent Meetings in *October* and *November* laſt, (for then you may refreſh your Memories again, was the General Riſing to be,) and there they did Conſult how to ſeize the Kings Guards. And this Noble Perſon being mix'd with thoſe others, eſpecially with *Ferguſon*, who with others of an inferiour Rank was alſo ingaged in a *Cabal* to manage worſer things, (though this is bad enough) at ſeveral Meetings, they received Meſſages from my Lord *Shaftsbury* touching the Riſing. They being looked upon as the Perſons who were to Conclude & ſettle the time and all circumſtances about it.

We ſhall make it appear to you in the Courſe of our Evidence, that thoſe Underlings (for this was the great Conſult, and moved all the

the other Wheels) who managed the Aſſaſſination did take notice that theſe Lords and Gentlemen of Quality were to manage and ſteer the whole buſines of the Riſing. It ſeems theſe Gentlemen could not give the *Earl of Shaftsbury* content to his mind; for he preſſed them to keep their day, which was the Seventeenth of *November* laſt; but the Honourable Perſon at the Bar and the reſt made him this Anſwer, That *Mr. Trenchard* had failed them, for that he had promiſed to have 1000 Foot, and 2 or 300 Horſe at four hours warning; but now it was ſo come to paſs he could not perform it, that ſome Perſons in the Weſt would not joyn with them, and therefore at this time they could not proceed, and therefore they muſt defer the day; and as a Council they ſent the Lord *Shaftsbury* word he muſt be contented, they had otherwiſe reſolved, and thereupon the Lord *Shaftsbury* went away, and *Ferguſon* with him.

To carry on this practiſe, they took others into their Council; Sr. *Thomas Armſtrong* was left out, and there falling that Scandalous report upon my Lord *Grey*, he was to be left out, and then there was to be a new Council of *Six*, whereas the inferior Council to manage the Aſſaſſination was ſeven. At this Council there was this Honourable Perſon at the

the Bar, the Duke of *Monmouth*, and another Honourable Perſon, whom I am ſorry to Name upon this Occaſion, who hath this Morning prevented the Hand of Juſtice upon himſelf, my Lord of *Eſſex*, and Colonel *Sidney*, and *Mr. Hambden*: Theſe Six had their frequent Conſults at this Honourable Perſons Houſe, for they had excluded Sir *Thomas Armſtrong* and my Lord *Grey*; for theſe Gentlemen would have the Face of Religion, and my Lord *Grey* was in their eſteem ſo Scandalous, that they thought that would not prevail with the People, if he ſhould be of the Council; There they Debated how they ſhould make this Riſing, and after ſeveral Conſultations, they came to this Reſolution, that before they did fall upon this riſing, they ſhould have an Exact Account both of the Time and Method of the *Scotch* Riſing, and thereupon a Meſſenger was ſent on Purpoſe by Colonel *Sidney*, *viz. Aaron Smith*, to invite *Scotch* Commiſſioners to treat with theſe Noble Lords. Purſuant to this, juſt before the Plot broke out, Several from *Scotland* came to treat with them how to Manage the Work, 30000 pound was demanded by the *Scots*, in Order that they ſhould be ready in *Scotland*; then they fell to ten Thouſand, and at laſt, for the *Scots* Love Money, they fell to 5000, which they would take, and run all hazards, but they

not coming to their Terms, that broke off the ſame Week, the Plot was Diſcovered.

Gentlemen, if we prove all theſe Inſtances, beſides we ſhall call ſome to ſhew you that the Inferiour Party ſtill looked upon theſe to be the Heads; and though they keept it Secret, yet God hath Suffered it to come to Light; with as plain an Evidence as ever was heard.

Sir *George Jeffories*, I will not take up any of your Lordſhips time, we will call our Witneſſes to prove the Fact Mr. *Attorney* hath opened. Swear Colonel *Rumſey*; which was done. Pray Colonel *Rumſey*, will you give my Lord and the Jury an Accompt from the begining to the end of the ſeveral Meetings that were, and what was the Debates of thoſe Meetings.

Whereupon Colonel *Rumſey* gave in Evidence, that being at the Lord *Shaftsburys* Lodging, where he lay, down by *Wapping*, about the latter end of *October*, or beginning of *November*, He told him, there was met at one Mr. *Shepherds* Houſe, the Duke of *Monmouth*, the Lord *Ruſſel*, the Lord *Grey*, Sir *Thomas Armſtrong* and Mr. *Ferguſon*: And deſired him to go and ſpeak with them, and deſire to know what

what Reſolution they were come to, about the Riſing of *Taunton*; And that he did go thither accordingly, and call for Mr. *Shepherd*, who carryed him up into the Room where they were. And that the Anſwer they Return'd him was, *That Mr.* Trenchard *had failed them, and there would be no more done at that time, and therefore the Lord* Shaftsbury *muſt be contented.* Upon the Receiving of which Meſſage, he took his Reſolution to be gone.

The Lord Chief Juſtice asked him, who gave him this Meſſage?

He anſwered, Mr. *Ferguſon* ſpoke the moſt part of it, the Lord *Ruſſel*, and the Duke of *Monmouth* being preſent, and he thought the Lord *Grey* did ſay ſomething to the ſame purpoſe.

The Attorney General asked him how often he had been with them at that Houſe?

He anſwered, He did not know, he was there more then once, he either was there another time, or elſe had heard Mr. *Ferguſon* make a Report of another Meeting to the Earl of *Shaftsbury*.

Being asked how long he ſtaid, and if there

was any diſcourſe whilſt he was there about a Declaration?

He anſwered, He was there about a quarter of an Hour, and that he was not certain whether he did hear ſomething about a Declaration there, or whether he heard *Ferguſon* Report to the Lord *Shaftsbury*, that they had debated it. He witneſſed moreover, That the Company did diſcourſe about viewing the Guards that were at the *Savoy*, and the *Mews*, that ſo they might know how to ſurprize them, if the Riſing had gone on; and that there were ſome perſons who undertook to view them; whom he thought were the Duke of *Monmouth*, the Lord *Grey*, Sir *Thomas Armſtrong*; and that the Lord *Ruſſel* was by when this was undertaken.

And being asked whether he found him averſe to it, or agreeing to it?

He anſwered, Agreeing to it; and that upon his Return to the Lord *Shaftsbury*, he ſaid he would be gone, and accordingly did go.

To this Evidence given in by Collonel *Rumſey*, the Lord *Ruſſel* ſaid he had very few queſtions

ſtions to ask him, for he knew little of the matter, for his being there was the greateſt accident in the world; that when he ſaw that there was Company there, he would have gone again.

That he came there accidentally to ſpeak with Mr. *Shepherd*, being juſt then come to Town, and that there was no diſcourſe of ſurprizing the Guards, and no undertaking of Raiſing an Army. And deſired to know whether he gave any anſwer to any Meſſage about the Riſing; ſaying he knew not what they might ſay, when he was in the Room, he was taſting Wine. To which Collonel *Rumſey* replyed, that he did ſpeak about the Riſing of *Taunton*, and conſented to it.

Mr. *Shepherd* being called next, witneſſed, That in the Month of *October* laſt, as he remembred, Mr. *Ferguſon* came to him in the Duke of *Monmouths* Name, and deſired the conveniency of his Houſe for him, and ſome other Perſons of Quality to meet there, and as ſoon as he had granted it, in the Evening the Duke of *Monmouth*, the Lord *Grey*, the Lord *Ruſſel*, Sir *Thomas Armſtrong*, Collonel *Rumſey* and Mr. *Ferguſon* came; Sir *Thomas Armſtrong* deſired that none of his Servants

might come up, but they might be private. And that what they wanted he went down for, a Bottle of Wine or ſo. That the ſubſtance of their diſcourſe was how to ſurprize the Kings Guards, and in order to that, the Duke of *Monmouth*, the Lord *Grey*, and Sir *Thomas Armſtrong*, as he remembred, went one night to the *Mews*, or thereabouts, to ſee the Kings Guards, and that the next time they came to his houſe, he heard Sir *Thomas Armſtrong* ſay the Guards were very remiſs in their places, and not like Souldiers, and the thing was feaſible if they had ſtrength to do it.

Being asked how many Meetings they had at his Houſe? he anſwered, That he remembred but two. And being asked whether the Lord *Ruſſel* was at them both? he anſwered, As he remembred he was. Being asked whether beſides the ſeizing the Guards, they did not diſcourſe about Riſing? he anſwered, He did not remember any further diſcourſe, for he went down ſeveral times to fetch up Wine, *&c.* and did not know what was ſaid in his abſence.

Sir *George Jeoffries* asked him if he remembred any Papers or Writing Read at that time? He ſaid,

ſaid, None that he ſaw. Or that you heard of, ſaid Sir *George?* Yes, replyed he, now I do Recollect my ſelf, I do remember that there was one Paper Read, the purport whereof was ſomewhat in the nature of a Declaration, ſetting forth the Grievances of the Nation; but what the particulars were, he could not tell; it was a pretty large Paper; and that he could not ſay whether they were all preſent or not. And being asked by the Foreman of the Jury, whether the Lord *Ruſſel* was there when the Declaration was read, as he called it? he anſwered, He could not ſay that, but he was there at the time when they diſcourſed of Seizing the Guards.

The Lord *Ruſſel*, ſaid, He never was but once at his Houſe, and there was no ſuch deſign as he heard of, and deſired that Mr. *Sheppard* might recollect himſelf. To which Mr. *Sheppard* replied, He could not be poſitive in the times; but he was ſure my Lord was at one Meeting.

The Lord Chief Juſtice asked him, But was he at both?

He anſwered, He did think ſo: But it was eight or nine Months ago, and he could

not be positive. The Lord *Russel* said, He could prove that he was then in the Countrey, and Colonel *Rumsey* said there was but one Meeting. To which Colonel *Rumsey* answered: That he did not remember his having been at two. If he were not, he had heard Mr. *Ferguson* relate the Debates of the other Meeting to the *Earl* of *Shaftsbury*.

Then the Lord *Howard* being called and Sworn, the *Attorney* General prayed him, to give the Court an Account of what he knew of a Rising designed before the Lord *Shaftsbury* went away; and how it was continued afterwards. Which he did, as follows.

My Lord, I appear with some confusion, let no Man wonder that it is troublesome to me. My Lord as to the Question Mr. *Attorney* puts to me, this is the Account I have to give. 'Tis very well known to every one, how great a Ferment was made in the City, upon occasion of the long Dispute about the Electing of Sheriffs. And this soon Produced a greater Freedom and Liberty of Speech one with another, than Perhaps had been used formerly, though not without some previous preparations and dispositions made

to

to the ſame thing. Upon this Occaſion among others, I was acquainted with Captain *Walcot*, a Perſon that had been ſome Months in *England*, being returned out of *Ireland*, and who indeed I had not ſeen for eleven years before. But he came to me as ſoon as he came out of *Ireland*, and when theſe unhappy diviſions came, he made very frequent applications to me; and tho he was unknown himſelf, yet being brought by me, he ſoon gained a confidence with My Lord *Shaftsbury*, and from him derived it to others.

When this unhappy Rent and Diviſion of minde was, he having before got himſelf acquainted with many perſons of the City, had entered into ſuch Council with them, as afterwards had the Effect, which in the Enſuing Narrative I ſhall relate to your Lordſhip.

He came to me and told me, that they were now ſenſible all they had was going, that this force put upon them--- [At which words the Lord Chief Juſtice deſired him to raiſe his voyce; elſe his Evidence would paſs for nothing. And one of the Jury ſaid they could not hear My Lord.]

To which he answered, That there was an unhappy accident happened, that had sunk his voyce, being but just then acquainted with the fate of the *Earl* of *Essex*: And then went on thus:

My Lord, I say he came to me, and did acquaint me that the People were now so sensible that all their Interest was now a going, by that Violence offered to the City in their Elections, that they were resolved to take some Course to put a stop to it, if it were possible.

He told me, there were several Consults and Meetings of Persons about it, and several persons had began to put themselves into a Disposition and Preparation to Act. That some had furnished themselves with very good Horses, and kept them in the most Secret and blind Stables they could: That divers had intended it, and for his own part he was resolved to imbark himself in it. And having an Estate in *Ireland*, he thought to dispatch his Son thither (for he had a good Real Estate, and a great Stock, how he disposed of his Real Estate, I know not) But he Ordered his Son, to turn his Stock into Money to furnish him for the Occasion.

This

This I take to be about *August.* His Son was ſent away; ſoon after this, his Son not being yet returned, and I having ſeveral accounts from him, wherein I found the Ferment grow higher and higher, and every day a nearer approach to Action, I told him I had a neceſſity to go into *Eſſex*, to attend the concerns of my own Eſtate; but told him how he might by another Name convey Letters to me, and gave him a little Cant, by which he might blind and diſguiſe the matter he writ about. When I was in the Country, I received two or three Letters from him, that gave me an Account in that diſguiſed Stile; but ſuch as I underſtood that the Negotiation which he had with my Correſpondents was going on, and in good Condition, and it was earneſtly deſired I would come to Town: This was the middle of *September.* I notwithſtanding was willing to ſee the reſult of that great affair, upon which all Mens Eyes were fixed, which was the determination of the Sheriffalty about that time.

So I ordered it to fall into Town, and went to my own Houſe on Saturday night, which was *Michaelmas* day. On *Sunday* he came to me, and Dined with me, and told me (after a General Account given me of the times,) that

that My Lord *Shaftsbury* was ſecreted, and with drawn from his own Houſe in *Aldersgate-ſtreet*, and that though he had a Family ſetled, and had obſconded himſelf from them, and divers others of his Friends and Confidents, yet he did deſire to ſpeak with me, and for that purpoſe ſent him to ſhew me the way to his Lodging. He brought me to a Houſe at the lower end of *Woodſtreet*, one *Watſons* Houſe, and there My Lord was alone; He told me he could not but be ſenſible how Innocent ſoever he was, both he and all honeſt Men were unſafe, ſo long as the Adminiſtration of Juſtice was in ſuch hands as would accommodate all things to the Humor of the Court. That in the ſenſe of this he thought it but reaſonable to provide for his own ſafety, by with drawing himſelf from his own Houſe into that Retirement. That now he had ripened affairs to that Head, and had things in that Preparation, that he did not doubt but he ſhould be able by thoſe Men that would be in readineſs in *London*, to turn the Tide, and put a ſtop to the torrent that was ready to overflow.

But he did complain that his deſign, and the deſign of the Publick, was very much obſtructed by the unhanſome deportment of the Duke

Duke of *Monmouth* and My Lord *Ruſſel*, who had with drawn themſelves not only from his Aſſiſtance, but from their own Ingagements and Appointments. For when he had got ſuch a formed Force as he had in *London*, and expected to have it anſwered by them in the Country, they did recede from it, and told him they were not in a Condition or preparation in the Country to be concurrent with him at the time.

This he looked upon but as an Artificial Excuſe, and as an Inſtance of their Intentions wholly to diſſert him; But notwithſtanding there was ſuch Preparation made in *London*, that if they were willing to loſe the Honour of being concurrent with him, he was able to do it himſelf, and did intend ſpeedily to put it into Execution.

I asked what Forces he had? He ſaid he had enough. Sayes I, what are you aſſured of? Sayes he, There is above ten Thouſand briſk Boys are ready,

dy to Follow me, when ever I hold up my Finger. Says I, How have you Methoded this, that they ſhall not be cruſhed, for there will be a great Force to oppoſe you: Yes, he Anſwered, but they would poſſeſs themſelves of the Gates; and theſe ten Thouſand Men in twenty four hours would be multiplied into five times the number, and be able to make a ſally out, and poſſeſs themſelves of *Whitehall*, by beating the Guards. I told him this was a fair Story, and I had Reaſon to think a Man of his Figure would not undertake a thing that might prove ſo fatal, unleſs it were laid on a Foundation, that might give a Prudent Man ground to hope it would be ſucceſsful.

He ſaid, he was Certain of it; but confeſſed it was a great Diſappointment that theſe Lords had failed him.

I told him, I was not Provided with an Anſwer at that time. That he well knew me, and knew the General Frame and Bent of my Spirit: But I told him, I looked upon it as Dangerous, and ought to be laid deep and to be very well weighed and conſidered of; and did not think it a thing fit to be entered upon without the Concurrence of thoſe Lords. And therefore deſired, before I diſcovered my own Inclinations, to diſcourſe with thoſe Lords.

He did conſent with much ado; *But*, ſayes he, *you will find they will waive it, and give doubtful and deferring anſwers, you will find this a Truth.*

I went to *Moor Park* the next day, where the Duke of *Monmouth* was, and told him the great Complaint My Lord *Shaftsbury* had made that he failed him.

Sayes

Sayes he, *I think he is mad; I was so far from giving him any incouragement, that I did tell him from the beginning, and so did My Lord* Russel, *there was nothing to be done by us in the Country at that time.*

I did not then own that I had seen my Lord, but spoke as if this were brought me by a third Person, because he had not given me liberty to tell them where his Lodging was.

Sayes I, *My Lord I shall be able in a day or two, to give a better Account of this.*

Shall I convey it to my Lord that you are willing to give him a Meeting?

Yes sayes he, *with all my Heart.*

This was the Second, Third, or Fourth of *October*, I came to *Town* on Saturday night

and was carried to him on Monday, and *I* ſuppoſe, this was Tueſday the ſecond of *October*. On Wedneſday I think I went to him again, and told him, I had been with the Duke of *Monmouth*, and given him a punctual account of what *I* had from him; and the Duke did abſolutely diſown any ſuch thing, and told me, He never did give him any incouragement to proceed that way, becauſe the Countries were not in a diſpoſition for Action, nor could be put in Readineſs at that time. Saies my Lord *Shaftsbury*, 'tis falſe, they are afraid to own it; and *I* have ſome Reaſon to believe there is ſome Artificial Pargain between his Father and him, and to ſave one another. For when I have brought him to Action, I could never get him to put on, and therefore I ſuſpect him. And ſaies he, ſeveral honeſt men in the City have puzled me in asking how the Duke of *Monmouth* lived? Saies he, they puzled me, and I could not anſwer the Queſtion; for I know he muſt have his Living from the King. And ſaies he, we have diſferent Proſpects, we are for a Common-wealth, and he hath no other deſign but his own perſonal intereſt, and that will not go down with my people now (ſo he called them) they are all for a Common-wealth. And then, ſaies he, 'Tis to no purpoſe for me

to see him it will but widen the Breach, and I dare not trust him to come hither. Saies my Lord, That's a good one indeed, dare not you trust him, and yet do you send me to him on this Errand? Nay, saies he, 'tis because we have had some misunderstandings of late; but I believe he is true enough to the Interest, saies I, 'tis a great Unhappiness to take this time to fall out; and I think 'tis so great a design, that it ought to be undertaken with the greatest strength and Coalition in the Kingdom. Saies, he, My Friends are now gone so far, that they can't pull their foot back again without going further; for, saies he, it hath been communicated to so many, that it is impossible to keep it from taking Air; and it must go on. Saies he, We are not so unprovided, as you think, for there are so many men that you will find as brisk men as any are in *England*; besides we are to have a 1000, or 1500 Horse that are to be drawn by insensible Parties into forces; that when the Insurrection is, shall be able to scour the Streets, and hinder them from forming their forces against us. My Lord, after great inlargement upon this head, and heads of the like nature, I told him, *I* would not leave him thus, and that nothing should satisfie me, but an intervey between him and the Lords. No, *I* could not obtain it;

but

but if I would go and tell them what a forwardneſs he was in, and that if they would do themſelves right by putting themſelves upon Correſpondent Action in their reſpective places, and where their intereſt lay; well, if not, he would go away without them. So I went again to the Duke of *Monmouth*, I ſpake to him only, I never ſpoke to the Lord *Ruſſel* then, only we were together; but I had never came to any cloſe Conjunction of Councils in my life with him; at that time, ſaies I to the Duke, This man is mad, and his Madneſs will prove fatal to us all; he hath been in a fright by being in the Tower, and carries thoſe fears about him that cloud his Underſtanding, I think his Judgment hath deſerted him, when he goes about with thoſe ſtrange ſanguine hopes. I can't ſee what ſhould ſupport him in the ground of them. Therefore ſaies, I pray will you give him a Meeting? Godſoe, ſaies the Duke, with all my heart, and I deſire nothing more. Now I told him I had been with my Lord *Shaftsbury*, with other inlargements, that *I* need not trouble your Lordſhip with. Well, ſaies he, pray go to him, and ſee if you can get a Meeting. So *I* went to him, and told him, ſaies *I*, this is a great Unhappineſs, and it ſeems to be a great Abſurdity, that you are ſo forward

to let alone in such a thing as this is. Pray, saies *I*, without any more ado, since you have this confidence to send for me, let me prevail with you to meet me, and give them an interview, or else you and *I* must break. *I* will no longer hold Correspondence, unless it be so. Saies he, *I* tell you they will betray me. In short, he did with much importunity yield that he would come out the next night in a disguise. By this time it was *Saturday*, *I* take it to be the sixth of *October*, an Almanack will settle that. So the next night being *Sunday*, and the Shops shut, he would come out, in a Concealment be carried in a Coach, and brought to his own house, which he then thought the safest. *I* came and gave the Duke an account of it; the Duke, *I* suppose conveyed the same understanding to my Lord *Russel*, and *I* suppose both would have been there accordingly to have given the Meeting, but next morning *I* found Colonel *Rumsey* had left a Note at my house, that the Meeting could not be that day. Then *I* went to the Duke of *Monmouth's*, and he had had the account before, That my Lord *Shaftsbury* did apprehend himself to be in some danger in that house, and that that Apprehension had made him remove, but we should be sure to hear from him in two or three days. We took

it

it as a waver, and thought he did from thence intend to abſcond himſelf from us, and it proved ſo to me; for from that time *I* never ſaw him, but Captain *Walcot* came to me, and told me, that he was withdrawn, but it was for fear his Lodging ſhould be diſcovered, but he did not doubt, but in a week he would let me know where his Lodging was; but told me, that within ſuch a time, which *I* think was 8 or 9 dayes, there would be a Riſing; and *I* told the Duke of *Monmouth*, and *I* believe he told my Lord *Ruſſel*. And we believed his Frenzy was now grown to that height, that he would riſe immediately and put his deſign in execution, ſo we endeavoured to prevent it. Upon which, *I* was told my Lord *Ruſſel* and the Duke of *Monmouth* did force their way to my Lord *Shaftsburys*, and did perſwade him to put off the day of his Rendezvous. *I* had not this from my Lord *Ruſſel*, for *I* had not ſpoke a word to him; but the Duke told me my Lord *Ruſſel* had been with him (*I* had indeed an intimation that he had been with him) but the Duke told me, ſaies he, *I* have not been with him, but my Lord *Ruſſel* was having been conveyed by Colonel *Rumſey*. After this day was put off, it ſeems it was put off with this Condition, That thoſe Lords and divers others ſhould be in a readineſs to

raiſe the Country about that day fortnight, or there about, for there was not above a fortnights time given. And, ſaies the *Duke* of *Monmouth*, we have put it off, but now we muſt be in Action, for there is no holding it off any longer. And ſaies he, *I* have been at *Wapping* all night, and *I* never ſaw a Company of bolder and brisker Fellows in my life. And ſaies he, *I* have been round the Tower, and ſeen the Avenues of it, *I* do not think it will be hard in a little time to poſſeſs our ſelves of it. But ſaies he, they are in the wrong way, yet we are ingaged to be ready for them in a fortnight; and therefore, ſaies he, we muſt apply our ſelves to it as well as we can. And thereupon *I* believe they did ſend into the Country. And the *Duke* of *Monmouth* told me he ſpake to Mr. *Trenchard* who was to take particular care of *Somerſet-ſhire*, with this Circumſtance; ſaies he, *I* thought Mr. *Trenchard* had been a brisker Fellow, for when *I* told him of it, he looked ſo pale *I* thought he would have ſounded when *I* brought him to the brink of Action, and ſaid pray go and do what you can among your Acquaintance. And truly *I* thought it would have come then to Action: But *I* went the next day to him, and he ſaid, it was impoſſible, they could not get the Gentry of the Country to ſtir yet. Then

Then the Lord *Ruſſel* ſaid, he thought he had very hard meaſure, and that there was a great deal of Evidence by hearſay. The Lord Chief Juſtice told him it was nothing to him, he did declare it to the Jury.

The Attorny General deſired the Lord *Howard* to go on in the Method of time; and told the Lord *Ruſſel*, that this was nothing to him; but he would aſſure him it was coming to him, if his Lordſhip would have patience. Whereupon the Lord *Howard* proceeded.

This is juſt in the order it was done: when this was put off, then they were in a great hurry, and Captain *Walcot* had been ſeveral times with me, and diſcourſed of it. But upon this diſappointment, they ſaid it ſhould be the diſhonour of the Lords, that they were backward to perform their parts, but ſtill they were reſolved to go on. And this had carried it to the latter end of *October*. About the ſeventeenth or eighteenth, Captain *Walcot* came to me and told me, now they were reſolved poſitively to riſe, and did believe, that a ſmall party might perhaps meet with ſome great men. Thereupon I told the Duke of it; I met him in the ſtreet and went out of my own Coach into his, and told him, That there was ſome dark intimations, as if there might be ſome At-

tempt upon the Kings perſon; with that he ſtruck his Breaſt with a great motion of Spirit, and ſaid, God-ſoe, kill the King, I will never ſuffer that. Then we went to the Play-houſe to find Sir *Thomas Armſtrong*, and ſent him up and down the City to put it off, as they did formerly. So it was done with that ſucceſs that we were all quieted in our minds, that at that time nothing would be done. But upon the day the King came from *New-Market* we dined together, the Duke of *Monmouth* was one, and there we had a Notion conveyed among us, that ſome bold Action would be done that day, which comparing it with the Kings coming, we concluded it was deſigned upon the King. And I remember my Lord *Grey*, ſaies he, By God, if they ſhould attempt any ſuch thing, it cannot fail. We were in great anxity of mind, till we heard the Kings Coach was come in, and Sir *Thomas Armſtrong* not being there, we apprehended that he was to be one of the Party (for he was not there) This failing, it was then next determined (which was the laſt Alarm and News I had of it) to be done upon the 17th. of *November* the Anniverſary of Queen *Elizabeth*; and I remember it by this Remark, I made my ſelf that I feared it had been diſcovered, becauſe I ſaw a Proclamation a little before, for-

forbidding publick Bon-fires, without leave of my Lord Mayor. It made some impression on me, because I thought they had got an intimation of our intention, and therefore forbid that Meeting. This therefore of the 17th. of *November* being also disappointed, and my Lord *Shaftsbury* being told things were not ripe in the Countrey; took shipping and got away; and from that time I heard no more of him, till I heard he was dead. Now after this we all began to lie under the same Sense and Apprehensions that my Lord *Shaftsbury* did, That we had gone so far, and communicated it to so many, that it was unsafe to make a Retreat. And this being considered, it was also considered, that so great an Affair as that was, consisting of such infinite particulars to be managed with so much fineness, and to have so many parts, it would be necessary that there should be some General Council that should take upon them the care of the whole. Upon these Thoughts we resolved to erect a little Cabal among our selves, which did consist of six persons, and the persons were the Duke of *Monmouth*, the Lord of *Essex*, my Lord *Russel*, Mr. *Hambden* Junior, *Algernone Sidney*, and my self.

The Attorney General asked him about what time is was when they setled this Council?

cil? He answered, it would have been proper for him in the next place to tell them, that as he was coming to it. This was, said he, about the middle of *January* last, (as near as I can remember) for about that time we did meet at Mr. *Hambdens* House. The Attorney General bid him name those that met.

There was, said he, all the persons *I* named before, that was the *Duke of Monmouth*, my Lord *Essex*, my Lord *Russel*, Colonel *Sidney*, Mr. *Hambden*, Jun. and my self. When we met there, it was presently agreed what their proper Providence was, which was to have a care of the whole. And therefore it was necessary some general things should fall under our Care and Conduct, which could not possibly be conducted by individual persons. The things that did principally challenge this Care, we thought were these; Whether the Insurrection were most proper to be begun in *London* or in the Countrey, or both at one instant. This stood upon several different Reasons, it was said in the Countrey. And *I* remember the *Duke of Monmouth* insisted upon it, That it was impossible to oppose a formed well-methodized and governed form with a Rabble hastily got together, and therefore whatever number could be gathered in the City would be surpressed

quic-

quickly before they could form themſelves. Therefore it would be better to begin it at ſuch a diſtance from the Town, where they might have an opportunity of forming themſelves, and would not be ſubject to the like prank ſears as in the Town, where half an hour would convey the news to ſuch forces, that in another half hour would be ready to ſuppreſs them.

The Attorney General asked him if this were determined among them all (he anſwered) in this manner that I tell you, why it was neceſſary to be done at ſome reaſonable diſtance from the Town. And from thence it was likewiſe conſidered that the being ſo remote from the Town, would put the King upon this Dilemma that either the King would ſend his forces to ſubdue them or not, if he did, he muſt leave the City naked who being *Proximi Diſpoſitioni* to Action, it would give them occaſion to Riſe and come upon the back of the Kings forces; if he did not ſend, it would give them time to form their Number and be better ordered.

The Attorney General told him that they did not deſire all their debates, and therefore deſired him to proceed to the next General thing.

The other was (ſaid he) what Countries

and

and Towns were the fitteſt, and moſt diſpoſed to action. And the third, what Arms were Neceſſary to be got, and how to be diſpoſed. And a fourth, (which ſhould have been indeed firſt in Conſideration) propounded by the Duke of *Monmouth*, that it would be abſolutely neceſſary to have ſome Common Bank of 25 or 30000l. to anſwer the occaſion of ſuch an undertaking. Nothing was done but theſe things were obſerved then to our conſideration, and we were to bring in our united advice concerning them; but the laſt and greateſt was how we might ſo order it as to draw *Scotland* into a conſent with us, for we thought it neceſſary that all the diverſion ſhould be given; this was the laſt.

The Attorney General asked him if they had any other Meetings, he ſaid, they had about ten days after this at my Lord *Ruſſels*.

The Attorney General asked him if they were the ſame perſons? He anſwered, that every one of the ſame perſons then met. The Attorney General asked him, what debates they had there? He anſwered it, then went ſo far as to come to a Reſolution, That ſome perſons ſhould be ſent to the Earl of *Argyle* to ſettle an Underſtanding with him, and that ſome Meſſengers ſhould be diſpatcht into *Scotland*, to invite ſome perſons hither that

were

were judged moſt able to underſtand the Eſtate of *Scotland*, and give an account of it. The perſons agreed on were Sir *John Cockram*, the Lord *Melvil*, and another whoſe name he had been ſince told upon his deſcription, was one *Cample* a Knight. And that thereupon they ordred a perſon to be thought on who was fit for that Employment.

The At. Gen. asked him if he knew who it was, and what was done upon that reſolution. He anſwered, He had heard (but had never ſeen him in ſix Months before) that *Aaron Smith* was ſent.

The At. Gen. asked him who was intruſted to take care of that buſineſs, he ſaid, Col. *Sidney*, to whom they had in diſcourſe referred the ſending of a perſon. The At. Gen. asked him, who told him that *Smith* was ſent? He anſwered Col. *Sidney* told him ſo, and that he had given him ſixty Guinys for his Journey.

The At. Gen. asked him what more Meetings they had? To which he made anſwer, That they did then conſider thoſe Meetings might have occaſioned ſome obſervation upon them, and therefore they agreed not to meet again till the return of that Meſſenger, who was, as he believed, gone a Month, or near a Month before they heard any thing of him, which they wondred at, and feared ſome miſcarriage, But (ſaid he) if his Letter had miſcarried it could have done no great hurt, for it only carried a kind of Cant in it: It was under the diſguiſe of a Plantation in *Carolina*.

You are ſure (ſaid the A. Gen.) my L. *Ruſſel* was there? Yes, Sir, (replied he) I wiſh I could ſay he was not. The Attorney asked him; Did he ſit there as a Cipher? what did my Lord ſay? To which he anſwered, That every one knew the Lord *Ruſſel* to be a perſon of great Judgment, and not very laviſh of Diſcourſe. But did he conſent, ſaid Sir *G. Jefferies*? We did, ſaid the L. *Howard*, put it to the vote: it went without contradiction, and I took it that all there gave their conſent.

The

The Sol. Gen. enquired if the raiſing Money which he ſpoke of were then put into any way? He anſwered, *No*; but every man was to put themſelves upon ſuch a way that Money might be collected without adminiſtring jealouſie. The At. Gen. asked him if there were no other perſons to undertake for a Fund? He anſwered, he thought not. However, it was but opinion, the thing that was ſaid rather than any thing elſe, that the E. of *Eſſex* had dealing in Money, and therefore he was thought the moſt proper perſon to take the care of theſe things; this was ſaid rather by way of Mirth than otherwiſe.

The A. Gen. asking what he knew elſe? He anſwered, He was going to tell them he was then at a full ſtop, for it was ſix Weeks or more before *Smith*'s Return; and then the time drew on, that it was neceſſary for him to go into *Eſſex*, where he had a ſmall concern that detained him about three weeks; and when he came back, he was informed that *Smith* was returned, and that Sir *John Cockram* was come to Town. That after this he was forced to go to the *Bath*, where he ſpent five weeks more; all which time was a perfect Parentheſis to him; and more than this he knew not.

Whereupon the *L. C. Juſtice* told the L. *Ruſſel*, That if his Lordſhip pleaſed, now was his time to ask him any Queſtion. The L. *Ruſſel* anſwered, That moſt of thoſe things the L. *Howard* had ſaid of him, was only hearſay, and that the two times they met, was upon no formed deſign, but only to talk of News, and other things in General.

The *L. C. Juſtice* told him he would tell him what it was he teſtified, that came neareſt his Lordſhip, that ſo he might conſider of it, if he would ask him any Queſtions; which was, that after the L. *Shaftsbury* went off (all that went before being but inducements as to any thing that concern'd his Lordſhip, and did not particularly touch him) the Party concerned with the L. *Shaftsbury* did think fit to make choice of ſix perſons to carry on the

Deſign

Deſign of an Inſurrection or Riſing in the Kingdom, and that to that purpoſe choice was made of the Duke of *Monmouth*, the Earl of *Eſſex*, his Lordſhip the Lord *Howard*, Colonel *Sidney*, and Mr. *Hambden*.

The Lord *Ruſſel* deſired to know by what party (for he ſaid he knew no Party) were they Couſin. The Lord *Howard* ſaid 'twas true they were not Couſin by Community, but did erect themſelves by mutual agreement into this Society. To which the Lord *Ruſſel* made anſwer, they were people that did meet very often. The Lord Chief Juſtice asking, if he would have any other Queſtions put to the Lord *Howard*, he only anſwered, That he had ſaid it was a formed Deſign, when they met about no ſuch thing. Whereupon the Lord Chief Juſtice told him, That he ſaid, that they did conſult among themſelves about the raiſing of men, and where the riſing ſhould firſt be, whether in the City of *London*, or in more foreign parts; that they had ſeveral Debates concerning it, and that he did mention ſome of the Duke of *Mounmouths* Arguments for its being formed in places from the City, and that they did all agree not to do any thing further in it, till they had conſidered how to raiſe Money and Arms, and to engage the Kingdom of *Scotland* in the Buſineſs with them, and that it was agreed among them, that a Meſſenger ſhould be ſent into *Scotland*; that thus far he went upon his own knowledge, as he ſaid, and that what he ſaid after of ſending a Meſſenger, is by report only.

Whereupon the Attorney General ſaid, I beg your Pardon my Lord. And the Lord Chief Juſtice ſaid it was ſo, what he heard concerning the ſending *Aaron Smith*. Then the Attorney General demanded, if he would ask him any Queſtions? To which the Lord *Ruſſel* anſwered, That they did meet, but there was no Debate of any ſuch thing, nor putting any thing in method, but the Lord *Howard* being a man of a voluble Tongue, and one who talked very well, and was full of diſcourſe they were delighted to hear him. Then

Then the Attorney General told the Lord *Howard*, He thought his Lordſhip did mention the *Cambels*. He ſaid he did ſtammer it out, but not without a Parentheſis, it was a perſon of the Alliance, and he thought of the Name of the *Argyles*. Whereupon the Lord *Ruſſel* deſired they would take notice, that he had never ſeen any of thoſe men, except the Lord *Melvil*, whom he had ſeen, but not upon that account. Then Mr. *Atterbury* the Meſſenger being ſworn, the Attorney General ſaid, That *Aaron Smith* did go, and that *Cambel*, whom he went to fetch, was there taken, and then asked Mr. *Atterbury* what he knhw of the *Cambels*? who anſwered, That he did not apprehend Sir *Hugh Camble* himſelf, but he was then in his Cuſtody, That he was making his Eſcape out of a Woodmongers yard both he and his Son; that when he was taken, he owned himſelf to have been four days in Town, and that within that time he had had three Lodgings, and that he, and his Son, and one *Haily* came to Town together.

Upon this, The Attorney General ſaid, that beſides what was already proved, now they had fixed this upon the Lord *Ruſſel*, they would give an account, that thoſe perſons that were to riſe, took them as their Paymaſters, and expected their aſſiſtance. Whereupon he called Mr. *Weſt*, Mr. *Keeling* and Mr. *Leigh*.

Mr. *Weſt* being ſworn, witneſſed, That as to the Lord *Ruſſel* he never had any Converſation with him at all, but what he had heard was, that in the Inſurrection in *November*, Mr. *Ferguſon* and Colonel *Rumſey* told him the Lord *Ruſſel* intended to go down and take his Poſt along in the Weſt, when Mr. *Trenchard* had failed them, That they all was way-laid, the Lord *Ruſſel* was the man they moſt depended upon, becauſe he was a man looked upon as of great Sobriety.

The Lord Chief Juſtice ſaid, That the giving Evidence by hearſay, was not Evidence.

Mr. Attorney told him, That it was not

Evidence to convict a Man if there were not plain Evidence before, but it confirms what the other Swears; but he thought they needed no more, and Sir *George Jefferies* said they had Evidence without it, and would not use any thing of Garniture, but leave it as it was. Upon which the Lord *Chief Justice* acquainted the Lord *Russell* that the Kings Council did think to rest upon what Evidence they had already given against his Lordship, and that he would put him in mind of those things which were Material in that Case, and proved against him, *viz.* That Colonel *Rumsey* had proved against him, that he was sent to his Lordship upon an Errand, which in Truth was Traiterous, it was a Traiterous Errand, sent from the Lord *Shaftsbury* by him to that Meeting, that he did Swear his Lordship was at that Meeting, and that he did deliver his Errand to them, which was to know what Account could be given concerning the design of the Insurrection at *Taunton*, & that the did say his Lordship being there, this Return was made, that Mr. *Trenchard* had failed them in his undertaking in the Business, and therefore the Lord *Shaftsbury* must be contented, and sit down satisfied as to that time, that Mr. *Sheppard* did likewise speak of the same thing that his

Lordſhid was there with the reſt of the Perſons, the Duke and others, and that there was a Diſcourſe concerning an Inſurrection to be made, and that although he was not ſo particular as to the very Notion of it, as Colonel *Rumſey*, yet as to the time they did agree. Here the Lord *Ruſſell* ſpake, and ſaid that Colonel *Rumſey* was not Poſitive that he ſaid or heard any thing. My Lord, (ſaid the Lord *Chief Juſtice*) if you will have a little patience to hear me, I will tell you, where it preſſes you; telling him, that there was that which he had mentioned, and that Mr. *Sheppard* did ſay, there was a Paper purporting a Declaration, then Read among the Company there, which was to have been Printed upon the Riſing, Setting forth the Oppreſſions and Greivances of the Nation. And that then the Lord *Howard* after a great Diſcourſe concerning the many Deſigns of the Lord *Shaftsbury*, came particular to his Lordſhip, and ſaid, that Six of them as a Choſen Council among themſelves (not that they were Actually Choſen) but as a Choſen Council among themſelves did undertake to manage the great matter of the Inſurrection and Raiſing of Men in Order to ſurpriſe the Kings Guards, and for to Riſe (which was a Rebellion in the Nation) and that he did ſay he had ſeveral Conſults about it,

it, and that he had told him the ſeveral particulars of thoſe conſults, which the Lord *Howard* had mentioned; and that it was fit for his Lordſhip, and it was his time to give ſome Anſwer to theſe things.

To which the Lord *Ruſſell* made Anſwer, That he could not but think himſelf mighty unfortunate to ſtand there charged with ſo high and heinous a Crime, intricated and intermixt with the Treaſons & Horrid Practices, and Speeches of other People, the Kings Council takeing all advantages, and improving and heigthning things againſt him, that he was no Lawyer, a very unready ſpeaker, and altogether a ſtranger to things of that Nature, and was alone and without Council, that he was very ſenſible that he had not ſo provided as to make his Juſt Defence as otherwiſe, he might have done, and told the Lord *Chief Juſtice*, that he was equal, and the Gentlemen of the Jury, he thought were Men of Conſcience, they were Strangers to him, and he hoped they would value Innocent Blood, and would conſider the Witneſſes that Swore againſt him, Swore to ſave their own Lives, for how Legal Witneſſes ſoever they might be accounted, they could not be Credible; And who, it was Notoriouſly known, had been ſo highly Obliged by the King and the Duke, for him to

be capable of ſuch a Deſign of Murthering the King, he thought no Body would wonder, if to ſave his own Life, he would indeavour to take away his, neither did he Swear enough to do it. And then if he did, the Time by the 13*th.* of this King, is Elapſed, in regard it muſt be, as he underſtood by the Law, Proſecuted within Six Months, and by the 25*th. Edw.* 3*d.* a deſign of Levying War, was no Treaſon, unleſs by ſome overt Act, it did appear. And he deſired to know what Statute he was to be Tryed upon, for Generalls he thought were not to be gone upon in thoſe Caſes, then the Lord *Chief Juſtice* ſaid to the *Attorny General*, Mr. *Attorny*, you hear what my Lord Objects to this Evidence, he ſaith that as to thoſe Witneſſes that teſtifie any thing concerning him above Six Months before he was Proſecuted, he conceives the Act of Parliament, upon which, he takes himſelf to be indicted, doth not extend to it, for that ſays, that within Six Months there ought to have been a Proſecution. And my Lord tells you that he is adviſed, that a deſign of Levying War without Actual Levying of War, was not Treaſon before that Statute.

The *Attorny General* Replyed, That to ſatisfie his Lordſhip, he was not indicted upon that Statute, but on the 25*th.* of *Edw.*

the

the 3d. And as for the next Objection, surely his Lordship was informed wrong, that to Raise a Rebellion or a Conspiracy within the Kingdome, was not that which was called Levying of War in that Statute, for to Raise a Number of Men to break Prisons, &c. which is not so directly tending against the Life of the King, that to prepare Forces to Fight against the King, that was a Design within that Statute to Kill the King, and to design to depose the King, to Imprison the King, to Raise the Subjects against the King, these had been setled by several Resolutions to be within that Statute, and Evidences of a design of Killing the King.

The Lord *Russell* said, that was matter of Law, neither was there but one Meeting at Mr. *Sheppards* House, The *Attorny General* told him, that if he would admit the Fact, and rest upon the Point of Law, he was ready to Argue it with any of his Lordships Council, and told him, he would acquaint him, how the Evidence stood, there was one Evidence, since *Christmas* last, The Lord *Russell* said, that was not to the business of *Sheppards* House, nor would one Witness Convict a Man of Treason; The *Attorny General* told him that if there was one Witness of one Act of Treason, another of a Second, and another of a Third, that manifested the same

Treaſon, to deſtroy or depoſe the King, it would be Sufficient. The L.C.J. told him, that the two Witneſſes the Statute required, were not to the ſame Individual Act, but to the ſame Treaſon, if they were ſeveral Acts declaring the ſame Treaſon, and one Witneſs to each of them had been reckoned Two Witneſſes within the Statute of *Edw.* the *6th.*

The Lord *Ruſſell* ſaid that was tacking of two Treaſons together, the one in *November*, by one Witneſs, and then another was brought on with a Diſcourſe of the Lord *Howard*, and that he ſaid, the Diſcourſe paſſed for Pleaſure, The Lord *Chief Juſtice* told him, that if he did doubt whither the Fact proved againſt him, were Treaſon within the Statute of *Edw.* the Third, and was contented that the Fact ſhould be taken as proved againſt him, and ſo deſired Council barely upon that which was matter of Law he ſhould have it granted; He Replied, that he was not knowing in the Law, that he thought it not proved, or if it was, he thought it not Puniſhable by that Act, and therefore deſired Council might be admitted upon ſo Nice a Point, his Life Lying at Stake, and there being but one Witneſs that ſpoke of a Meſſage. Sir *George Jefferies* ſaid the Fact muſt be left to the Jury, therefore if the Lord *Ruſſell* had any

Wit-

Witneſſes to call in Oppoſition to their Matters, he ſhould call them. The Lord *Chief Juſtice* ſaid, there could be no matter of Law, upon a Fact admitted and Stated. The Lord *Ruſſell* ſaid, he did not think it proved and told the Lord *Cheif Juſtice*, he hoped he would be of Council for him, ſaying, that was very hard, that his Council might not ſpeak for him in a point of Law, The Lord *Chief Juſtice* told him, that to hear his Conncil concerning the Fact, they could not do, yet that it was never done, nor would be done, and that if his Lordſhip doubted whither the Fact were Treaſon or not, and deſired his Council might be heard to that, he would do it. the Lord *Ruſſell* ſaid, he doubted in Law, and did not ſee the Fact was proved upon him. The *Solicitour General* asked his Lordſhip whither he would pleaſe to call any Witneſſes to the matter of Fact; He anſwered, 'twas very hard a Man muſt looſe his Life upon Hear-ſay. That Colonel *Rumſey* ſaid, he brought a Meſſage which he would Swear he never heard nor knew of, nor did he ſay that he ſpoke it to him, or that he gave him any Anſwer. That Mr. *Sheppard* remembred no ſuch thing, but was gone to and again, ſo that there was but one Witneſs, and Seaven Months ago. The *Attorny Ge-*

neral told, if there was any thing that was Law, he ſhould have it; to which the Lord *Ruſſell* Replied, that Colonel *Rumſey*, the other Day, before the King, could not ſay that he heard it, he was indeed in the Room, but came in late, they had been there a good while before he came, nor did he ſtay above a Quarter of an Hour, taſting *Sherry* with Mr. *Sheppard*. Then the Lord *Chief Juſtice* Commanded the Statute, *25th. Edw. 3d. C. 2d.* to be Read, which being done accordingly, he told the Lord *Ruſſell*, that the thing, that was urged againſt him, by the Kings Council, was his being accuſed by the Indictment of compaſſing, and Deſigning the Kings Death, and endeavouring to Raiſe an Inſurrection, in Order to it, and that they did ſay, that thoſe Councils which his Lordſhip had taken, were Evidences of his compaſſing the Kings Death, and were Overt Acts, declaring the ſame, that was it upon which they inſiſted, that his Lordſhip was Guilty within that Statute, he ſaid that it was a Point of Law, and deſired Counſel. The *Attorney General* bid him admit his Conſultations, and his Counſel ſhould be heard. The Lord *Chief Juſtice* told him, He would ſet his Lordſhip right, for probably he might not underſtand the Law in that Caſe, If his Counſel were heard, they were

to be heard to this, that taking it, That the Lord *Ruſſell* had Conſulted in that manner, for the Raiſing of Forces within this Kingdom, and making an Inſurrection within this Kingdom, as Colonel *Rumſey*, and the Lord *Howard*, had Depoſed, Whether that were Treaſon? For they could hear his Counſel to nothing elſe. The Lord *Ruſſell* ſaid, He did not know how to Anſwer it; the Point he thought muſt be quite otherwiſe, that there ſhould be Two Witneſſes to one thing, at the ſame time. The *Attorney General* told his Lordſhip, He might remember, that in the Lord *Staffords* Caſe, there was but one Witneſs to one Act in *England*, and another to another in *France*.

The Lord *Chief Juſtice* told him, If he would ſay any thing to diſprove what had been Witneſſed againſt him, it ſhould be heard, but if he could not contradict it by Teſtimonies, it would be taken to be a proof, and therefore his way to make it appear untrue, was, by calling Witneſſes, or asking Queſtions. He ſaid, He was out of Town when one of the Meetings was, but Mr. *Sheppard* could not recollect the Day, for he was out of Town all that time, that he never was but once at Mr. *Sheppards*, and there was nothing undertaken of viewing the Guards, whilſt he was there. And askt

Colonel

Colonel *Rumſey*, If he could Swear poſitively, That he heard the Meſſuage, and gave any Anſwer to it. Then the Lord *Chief Juſtice* asked Colonel *Rumſey*, If the Lord *Ruſſell* did hear him, when he delivered the Meſſuage to the Company; and whether they were at the Table, and where they were? He Anſwered, That when he came in, they were at the Fire-ſide, but they all came from the Fire-ſide to hear what he ſaid. The Lord *Ruſſell* Anſwered, That the Duke of *Monmouth* and he came thither together, and that Colonel *Rumſey* was ſtanding by the Chimney when he came in. That the Lord *Howard* had made a long Narrative of what he knew, he did not know when he made it, or when he did recollect any thing, 'twas but very lately, that he had Declared, and Proteſted, that he knew nothing againſt him, nor of any Plot he could in the leaſt be Queſtioned for; deſiring, my Lord *Angleſey*, Mr. *Edward Howard*, might be called, which was done. The Lord *Angleſey* ſaid, That being in Town the Week before, and hearing that the Earl of *Bedford* was in ſome Diſtreſs, concerning the Affliction of his Son, he went to give him a Viſit, being his old Acquaintance, of above Fifty Years ſtanding, they being Bred together at *Maudlin* College in *Oxon*;

That

That when he was ready to come away, the Lord *Howard* came in, and ſat down on the other ſide of the Earl of *Bedford*, and begun to comfort him, ſaying, My Lord, You are happy in having ſuch a Wiſe Son, and worthy Perſon, one that can never ſure be in ſuch a Plot as this, or ſuſpected for it, which may give your Lordſhip reaſon to expect a very good Iſſue concernig him, I know nothing againſt him, or any Body elſe, of ſuch a Barbarous Deſign, therefore your Lordſhip may be comforted in it. Mr. *Howard* ſaid, He muſt deſire to ſay ſomething of himſelf and Family firſt, that the Lord *Howard* and he had been very intimate, and not only as Relations, but as Dear Friends, upon which Account, he improved his Intereſt in him, upon the great Miſunderſtanding of the Nation, to perſwade him to apply himſelf to the King, to Serve him in that great difficulty of State, which was known to all the World, and that he ſometimes found him very forward, and that he had ſoftned him; upon which Parly, upon the Lord *Howards* permiſſion, but more upon his own Inclination of Duty, he had made ſeveral Applications to Miniſters of State, whom he could name, that the Lord *Howard* had a great deſire of Serving the King, in the beſt way of Satisfaction,

faction, &c. The Lord *Chief Juſtice* deſired him to apply himſelf to the Matter he was called for. He Anſwered, This might be to the matter, if they would hear him. The Lord *Chief Juſtice* replyed, They muſt deſire him not to go on thus. Then ſaid he, I will now come to the thing, Upon this ground I had of my Lords Kindneſs, I applyed my ſelf to him in this preſent Iſſue, on the breaking out of this Plot; my Lord, I thought certainly, as near as I could diſcern him, (for he took it upon his Honour, his Faith, and as much as if he had taken an Oath before a Magiſtrate,) that he knew nothing of any Man concerned in this Buſineſs, and particularly, of the Lord *Ruſſell*, whom he Vindicated with all the Honour in the World; my Lord, it is true, was afraid of his own Perſon, and as a Friend, and a Relation, I concealed him in my Houſe, I did not think it was for ſuch a Conſpiracy, but I thought he was unwilling to go to the Tower for nothing again; ſo that if the Lord *Howard* has the ſame Soul on *Monday*, that he had on *Sunday*, this cannot be True that he Swears againſt the Lord *Ruſſell*. This I ſay upon my Reputation, and Honour, and ſomething I could ſay more; He added, He thought the Lord *Ruſſell* did not only Unjuſtly Suffer, but he

took

took God and Men to Witneſs, that he thought him the Worthieſt Perſon in the World. I am very ſorry to hear any Man of my Name ſhould be Guilty of theſe things.

Dr. *Burnet* Witneſſed, That the Lord *Howard* was with him the Night after the Plot broke out, and that he did then, as he had done before, with Hands and Eyes lifted up to Heaven, ſay, He knew nothing of any Plot, nor believed any, but Treated it with great Scorn and Contempt.

The Lord *Cavendiſh* ſaid, That he had had the Honour to be acquainted with the Lord *Ruſſell* a long time, that he always thought him to be a Man of great Honour, and too Wary and Prudent, to be concerned in ſo Vile and Deſperate a Deſign, and from which he would receive ſo little Advantage, that Two or Three Days after the Diſcovery of the Plot, upon diſcourſe about Colonel *Rumſey*, the Lord *Ruſſell* did expreſs ſomething, as if he had a very ill Opinion of the Man, and therefore it was not likely he would Intruſt him with ſuch a Secret.

Dr. *Tillotſon* Witneſſed, That he had been many Years acquainted with the Lord *Ruſſel*, and had always Judged him to be a Perſon of great Vertue and Integrity, and one who was far from any ſuch Wicked Deſign he ſtood Charged withal.

Dr. *Burnet*

Dr. *Burnet* ſaid, He had known the Lord *Ruſſell* ſeveral Years, and that he had Obſerved him, upon all occaſions, to Expreſs himſelf againſt all Riſings, and when he ſpoke of People who would provoke to it, he Expreſſed himſelf ſo determined againſt that matter, that no Man could have done more.

Dr. *Cox* ſaid, That he had been very much with the Lord *Ruſſel* of late, for about a Month or more before the Plot came out, and that he had always found, when they had occaſion to ſpeak in Private of thoſe Publick Matters, that he was againſt all kind of Riſings, and thought it the greateſt folly and madneſs till things ſhould come in a Parliamentary-way, and that he heard him profeſs ſolemnly, he thought it would Ruin the beſt Cauſe in the World to take any of thoſe Irregular ways to preſerve it. And that particularly he had occaſionally expreſſed himſelf concerning thoſe two Perſons, the Lord *Howard* and Colonel *Rumſey*, Colonel *Rumſey* being once at the Lord *Ruſſels*, and offering to ſpeak a little privately, he ſaid the Lord *Ruſſel* told him, that he knew him but little, and that upon his telling him he was a Valiant Man, and had Acted his Part Valliantly in *Portugal*, he Replyed he knew him little, and that he had nothing to do with him but in the Lord *Shaftsbury's* Buſineſs, and that he ſaid of the Lord *Howard*, he was a Man of Excellent Parts of Luxuriant Parts, but he had the luck not to be truſted by any Party. And that he never heard him ſay one word of Indecency towards the King.

The Duke of *Somerſet* Witneſſed, That he had known the Lord *Ruſſel* about two Years, in which time he had had much Converſation with him, and had

had been often in his Company, and yet had never heard any thing from him but what was Honourable, Loyal, and Juſt.

Then the Jury deſiring the Lord *Howard* might ſpeak to what the Lord *Angleſey* had Teſtified, he ſaid, That when he waited upon the Earl of *Bedford*, and endeavoured to comfort him concerning his Son, he believed he did ſay the words, as near as he could remember, that the Earl of *Angleſay* had mentioned, that he hoped his Lordſhip was a Man of that Honour that he hoped he might be ſecure that he had not Intangled himſelf in any thing of that Nature, and added, that he could hardly be provoked to make his own Defence, leaſt that Noble Lord ſhould ſuffer, ſo willing he was to ſerve him who knew that he could not want Affection for him, he did confeſs he did ſay the words, being under ſuch Circumſtances at that time, that he was to outface the thing for himſelf and Party, and did not intend to have come into that Place, nor have Acted that Part, ſaying that God knew how it was brought upon him, and with what unwillingneſs he did ſuſtain it, but his Duty to God, the King, and his Country, did require it, however he was very ſorry to carry it on ſo far. He did ſay ſo indeed, and if he had been to viſit the Lord *Pemberton*, he ſhould have ſaid ſo, for there were none of thoſe who knew the Lord *Ruſſel*, but would ſpeak of him from thoſe Topicks of Honour, Modeſty and Integrity, his whole Life deſerved it, he deſired to be ſpared in one thing more, becauſe that leaned hard upon his Reputation, and if the Jury believed that he ought not to be Believed, for he thought the Religion of an Oath was not tyed to a place, but received its obligation from the Appeal we therein make

make to God, and he thought that if he called God and Angels to Witneſs to a Falſhood, he ought not to be believed then, but he ſaid, that every Man that was Committed for a Deſign of Murthering the King, and he did lay hold on that part, for he was to carry his Knife cloſe between the Paring and the Apple, and he did ſay, that if he were an Enemy to the Lord *Ruſſel* and the Duke of *Monmouth*, and were called to be a Witneſs, he muſt have Declared in the Preſence of God and Man, that he did not believe either of them had any Deſign to Murther the King, and that he ſaid this, becauſe he would not lye under the Character of a Perſon that would be Perjured at the expence of ſo Noble a Perſons Life and his own Soul.

Then the Lord *Clifford* being called by the Lord *Ruſſel*, Teſtified, That he had always took the Lord *Ruſſel* to be a Worthy Honeſt Man, and had never ſeen any thing in his Converſation to make him believe otherwiſe. Mr. *Luton Gore* Teſtified, That he had known him many Years, and Converſed much with him, and that in all the Diſcourſe he had had with him, he had never heard him let fall any thing that tended in the leaſt to any Riſing or any thing like it, and that he took him to be one of the beſt Sons, one of the beſt Fathers, one of the beſt Husbands, one of the beſt Maſters, one of the beſt Friends, and one of the beſt Chriſtians, and that he knew of no Diſcourſe concerning that matter. Mr. *Spencer* Teſtified, That having known him many Years, and been many Months with him in his Houſe, he never ſaw any thing to the contrary, but that he was a moſt Vertuous and Prudent Gentleman, and that he had Prayers conſtantly twice a Day in his Houſe;

Dr. *Fitz-Williams* Teſtified, that he had known him about Fourteen years, and that he always eſteemed him a man of that Virtue, that he could not be Guilty of ſuch a Crime as the Conſpiracy he ſtood charged withall.

The Lord Chief Juſtice asking if he would call any more Witneſſes, he Anſwer'd, No, my Lord, I will be ſhort; and ſaid that he would declare to his Lordſhip, that he was one who had always had a Heart ſincere and Loyal to the King and the Government, which was the beſt Government in the World; and that he did Pray as ſincerely for the Kings happy and long Life as any man alive; and therefore for him to go about to raiſe a Rebellion, which he looked upon as ſo wicked and unpracticable, was unlikely; and that if he had been inclined to it, by what obſervation he had made in the Countrey, there was no tendency to it; that he was always for the Government, and never deſired any thing to be Redreſſed, but in a Parliamentary and Legal way; that he had always been againſt all Innovations and Irregularities whatſoever, and ſhould be ſo long as he lived; and then concluded with the following Proteſtation of his Loyalty.

Gentlemen,

I am now in your hand Eternally, my Honour,

my Life; and all, and I hope the Heats and Animosities that are among you, will not so biass you, as to make you in the least inclined to find an Innocent man Guilty; I call Heaven and Earth to Witness, I never had a design against the Kings Life, nor never shall have: I think there is nothing proved against me at all; I am in your Hands, God direct you.

Then the Kings Council first, and afterwards the Lord Chief Justice carefully summed up the Evidence, and upon the whole matter left it to the Jury, that if they believed the Prisoner at the Bar had Conspired the Death of the King, and in order thereunto had had those Consults the Witnesses spoke of, then they ought to find him Guilty of the Treason laid to his Charge, or otherwise not: whereupon the Jury withdrew, and after some time of Consideration, returned and gave in their Verdict, That he was Guilty of the High Treason laid to his Charge. And the next day being brought to the Bar again, and holding up his Hand, it was demanded of him, (that since he had been Indicted for High Treason, and was found Guilty) what he could say for himself why Judgment should not pass upon him according to Law: He said he should be very glad to hear the Indictment read, which being granted, the Clerk read to the words of *Conspiring the Death of the King*; at which words he bid him hold, and said, he thought he had not

not been Charged in the Indictment of Compaſſing and Conſpiring the Death of the King; the Attorney General told him he was: Then he told the Recorder, that if all that the Witneſſes ſwore againſt him were true, he appealed to him and the Court, whether he were Guilty within the Statute of 25 *E.* 3. they having Sworn a Conſpiracy to leavy War, but no Intention of Killing the King? and therefore he thought Judgment ought not to have Paſſed upon him for Conſpiring the Death of the King, of which he ſaid there was no Proof by any one Witneſs: The Recorder told him, that was an Exception proper, and as he thought his Lordſhip did make it before the Verdict, whether the Evidence did amount to prove the Charge, was to be obſerved by the Jury, for if the Evidence came ſhort of the Indictment, they could not find it to be a true Charge: But when once the Jury had found it, their Verdict did paſs for truth, and the Court was bound by it as well as his Lordſhip, and they were to go according to what the Jury had found, not their Evidence. He Inſiſted upon the hardneſs of being Condemned for a Crime, which he ſaid was not Sworn againſt him, and therefore he thought he might Legally demand Arreſt of Judgment: the Recorder told him he hoped his Lordſhip would conſider, 'twas not the Court could give a Verdict, it muſt be the Jury; and he believed there was no Body in the Court did

delight in giving ſuch Judgments, eſpecially againſt his Lordſhip; but the Verdict was found, and the Kings Attorney General did on the Kings behalf demand it; and Proclamation being made for Silence, he gave Judgment accordingly in the following words:

My Lord *Ruſſel*, *Your Lordſhip hath been Indicted and Tryed, and found Guilty of High Treaſon, the greateſt of Crimes; your Quality is great, and your Crime is great, and I hope and expect that your Behaviour and Preparation in this Condition will be proportionable.* My Lord, *It is the Duty of the Witneſſes to give Evidence according to truth, it is the Duty of the Jury to proceed according to Evidence, and 'tis the Duty of the Court to give Judgment according to the Verdict: It is the King's Pleaſure ſignified by his Attorney General, to demand Judgment againſt your Lordſhip according to this Verdict, and therefore,* My Lord, *I ſhall not delay it with any further Circumlocution. The Judgment the Law hath provided, and is the Duty of the Court to give, is,*

That you be carried back again to the place from whence you came, and from thence be drawn upon an Hurdle to the place of Execution; where you ſhall be Hanged up by the neck, but cut down alive, your Entrails and Privy-members cut from your Body, and burnt in your ſight; your Head to be ſevered from your Body, and your Body divided into four parts, and diſpoſed at the Kings pleaſure; And the Lord have mercy upon your Soul.

The

The Tryal being over, he was not carried back again to the *Tower*, but to *Newgate*, where he remained till his Execution: Dr. *Tillotſon*, Dr. *Burnet*, and ſeveral other Reverend Divines were admitted to viſit him during the time of his being in *Newgate*, which time he ſpent in fitting and preparing himſelf for his approaching Death. Several Applications were made to the King by himſelf, his Relations, and other Perſons of Quality, to obtain his pardon, which could not be procured; but the King graciouſly mitigated the ſeverity of the Sentence, and permitted him to be beheaded; which was done on Saturday, *July* 21. 1683.

The morning being come, his Lady, the Lord *Cavendiſh*, and divers more of his Friends went to *Newgate* to pay him their laſt Viſit, and ſtay'd with him till nine of the clock; about which time the Sheriffs came to ſee if he were ready; and preſently after he came out; and having taken his leave of his ſorrowful Lady, and the reſt of his Friends, he went into his own Coach (wherein likewiſe were Dr. *Tillotſon* and Dr. *Burnet*) in which he went through *Holburn*, which was every where crowded with Spectators, to the place of Execution in great *Lincolns-Inn* Fields: When he came to the Scaffold, which was covered all over with Mourning, and invironed with ſeveral Companies of the Kings Horſe and Foot-Guards, he mounted the Stairs with

abundance of briskneſs and agility; and when he came to the top of the Scaffold, with a chearful and an unconcerned Countenance he bowed to the Gentlemen who were on the Scaffold, and then took ſeveral turns upon it, talking with the two Divines, and others that were there, ſeeming not to be at all daunted at his approaching Fate: He had on a black Sute, and a fair light Wigg, and was ſo tall and proper a perſon, that he was eaſily ſeen by the numerous Spectators, who crowded to behold his Execution, above the reſt of thoſe who were on the Scaffold. When he had been there a little while, he addreſſed himſelf to the Sheriff in the following Speech.

Mr. SHERIFF,

I Expected the noiſe would be ſuch that I ſhould not be very well heard: I was never fond of much ſpeaking, much leſs now; therefore I have ſet down in this Paper all that I think fit to leave behind me: God knows how far I was always from deſigns againſt the King's perſon, or of altering the Government; and I ſtill pray for the preſervation of both, and of the Proteſtant Religion.

Then he told the Sheriff, *That he had been told by ſome perſons, that Captain* Walcot, *at his Execution the day before, had ſaid ſomething concerning his knowledge of the Plot, and deſired to know whether the report were true or not.* The Sheriff aſſured him, *he did not hear Capt.* Walcot

cot *name him*; and he that writ added, *That his Lordſhip was not named by any of them.* He ſaid, *He hoped it was not true; for to his knowledge, he had never ſeen him nor ſpoke with him in his whole life; and that he did in the Words of a Dying Man profeſs, he knew of no Plot either againſt the Kings Life or the Government; but he had now done with this World, and was going to a better: He ſaid, that he forgave all the World heartily, and thanked God he died in Charity with all men; and wiſhed that all ſincere Proteſtants might love one another, and not make way for Popery by their Animoſities; for which he prayed God to forgive them, and continue the Proteſtant Religion among them; that it might flouriſh ſo long as the Sun and Moon endured: And ſaid, that he was then more ſatisfied to die, than he had ever been before.*

THE

PAPER

Delivered to the

SHERIFFS.

"I Thank God, I find my ſelf ſo compoſed and prepa-
"red for Death, and my Thoughts ſo fixed on another
"World, that I hope in God, I am now quite wean-
"ed from ſetting my Heart on this. Yet I cannot forbear
"ſpending ſome time now, in ſetting down in Writing
"a fuller Account of my Condition, to be left behind

 "me,

me, than I'll venture to say at the Place of Execution" "in the Noise and Clutter that is like to be there. I "bless God heartily for those many Blessings, which he "in his infinite Mercy has bestowed upon me, through "the whole Course of my Life: That I was born of wor- "thy good Parents, and had the Advantages of a religi- "ous Education; which I have often thank'd God very "heartily for, and look'd upon as an invaluable Blessing: "For even when I minded it least, it still hung about "me, and gave me checks, and has now for many Years "so influenced and possessed me, that I feel the happy "Effects of it in this my Extremity, in which I have "been so wonderfully (I thank God) supported, that "neither my Imprisonment, nor the fear of Death, have "been able to Discompose me to any degree; but on "the contrary, I have found the Assurances of the Love "and Mercy of God, in and through my blessed Redeem- "er, in whom only I trust; and I do not question, but "that I am going to partake of that Fulness of Joy which "is in his presence, the hopes whereof does so wonder- "fully delight me, that I reckon this as the happiest time "of my Life, thô others may look upon it as the saddest.

"I have lived, and now die of the Reformed Religi- "on, a true and sincere Protestant, and in the Commu- "nion of the Church of *England*, thô I could never yet "comply with, or rise up to all the heights of many Peo- "ple. I wish with all my Soul, all our unhappy Diffe- "rences were removed, and that all sincere Protestants "would so far consider the Danger of Popery, as to lay "aside their Heats, and agree against the Common Ene- "my; and that the Church-men would be less severe, and "the Dissenters less scrupulous: For I think Bitterness and "Persecution are at all times bad, but much more now.

"For Popery, I look on it as an Idolatrous and Bloody "Religion; and therefore thought my self bound, in my "Station, to do all I could against it. And by that, I "foresaw I should procure such great Enemies to my "self, and so powerful Ones, that I have been now for "some time expecting the worst. And blessed be God,

"I

"I fall by the Axe, and not by the Fiery Tryal. Yet, "whatever Apprehenſions I had of Popery, and of my "own ſevere and heavy ſhare I was like to have under "it, when it ſhould prevail, I never had a Thought of "doing any thing againſt it baſely, or inhumanly; but "what could well conſiſt with the Chriſtian Religion, and "the Laws and Libertyes of this Kingdom. And *I* thank "God, I have examin'd all my Actings in that Matter, "with ſo great Care, that I can appeal to God Almigh-"ty, who knows my Heart, that I went on Sincerely, "without being moved, either by Paſſion, By-End, or "Ill-Deſign. I have always loved my Country much "more than my Life; and never had any Deſign of change-"ing the Government, which I value, and look upon "as one of the beſt Governments in the World, and would "alwayes have been ready to venture my Life for the "preſerving of it, and would have ſuffered any Extre-"mity, rather than have conſented to any Deſign to take "away the Kings Life: Neither ever had Man the Impu-"dence to propoſe ſo baſe and barbarous a thing to me. "And I look on it as a very unhappy, and uneaſie part "of my preſent Condition, That in my Indictment there "ſhould be ſo much as mention of ſo vile a Fact; thô "nothing in the leaſt was ſaid to prove any ſuch Matter; "but the contrary, by the Lord *Howard*: Neither does "any Body, I am confident, believe the leaſt of it. So "that I need not, I think, ſay more.

"For the King, I do ſincerely pray for him, and wiſh "well to him, and to the Nation: That they may be happy "in one another; that he may be indeed the Defender of "the Faith; and that the Proteſtant Religion, and the Peace, "and Safety of the Kingdom may be preſerved, and flou-"riſh under his Government; and that He in his Perſon "may be happy, both here, and hereafter.

"As for the ſhare I had in the Proſecution of the Po-"piſh Plot, I take God to Witneſs, that I proceeded in "it in the Sincerity of my Heart; being then really con-"vinced (as I am ſtill) that there was a Conſpiracy a-"gainſt the King, the Nation, and the Proteſtant Religi-"on:

" on: And I likewiſe profeſs, that I never knew any " thing, either directly or indirectly, of any Practice " with the Witneſſes; which I look upon as ſo horrid a " thing, that I could never have endured it. For, I " thank God, Falſhood and Cruelty were never in my " Nature, but always the fartheſt from it imaginable. I " did believe, and do ſtill, that Popery is breaking in up- " on the Nation; and that thoſe who advance it, will " ſtop at nothing, to carry on their Deſign: I am hear- " tily ſorry that ſo many Proteſtants give their help- " ing Hand to it; but I hope God will preſerve the " Proteſtant Religion, and this Nation, though I am a- " fraid it will fall under very great Tryals, and very " ſharp Sufferings. And indeed the Impiety and Pro- " faneneſs that abounds, and appears ſo ſcandalouſly bare- " fac'd every where, gives too juſt reaſon to fear the " worſt things which can befall a People; I Pray God " prevent it, and give thoſe who have ſhew'd Concern " for the publick Good, and who have appear'd Hear- " ty for the true Intereſt of the Nation, and the Pro- " teſtant Religion, Grace to live ſo, that they may " not caſt a Reproach on that which they endeavour " to advance; which (God knows) has often given " me many ſad Thoughts. And I hope ſuch of my " Friends as may think they are touch'd by this, will " not take what I ſay in ill part, but endeavour to " amend their ways, and live ſuitable to the Rules of " the true Reformed Religion; which is the only " thing can adminiſter true Comfort at the latter End, " and revive a Man when he comes to Dye.

" As for my preſent Condition, I bleſs God, I have " no Repining in my Heart at it. I know for my ſins I " have deſerved much worſe at the Hands of God: So " that I chearfully ſubmit to ſo ſmall a Puniſhment, as the " being taken off a few Years ſooner, and the being made " a Spectacle to the World. I do freely forgive all the " World, particularly thoſe concerned in taking away my " Life: and I deſire and conjure my Friends to think of " no Revenge, but to ſubmit to the holy Will of God,

" into

" into whoſe Hands I reſign my ſelf entirely.

" But to look back a little; I cannot but give ſome touch " about the Bill of Excluſion, and ſhew the Reaſons of my " appearing in that Buſineſs; which in ſhort is this: " That I thought the Nation was in ſuch danger of Po- " pery, and that the Expectation of a *Popiſh Succeſſor* (as " I have ſaid in Parliament) put the King's Life likewiſe " in ſuch danger, that I ſaw no way ſo effectual to ſecure " both, as ſuch a Bill. As to the Limitations which " were propoſed, if they were ſincerely offered, and had " paſs'd into a Law, the Duke then would have been ex- " cluded from the Power of a King, and the Government " quite altered, and little more than the Name of a King " left. So I could not ſee either Sin or Fault in the one, " when all People were willing to admit of 'tother; but " thought it better to have a King with his Prerogative, " and the Nation eaſie and ſafe under him, than a King " without it, which muſt have bred perpetual Jealouſies, " and a continual Struggle. All this I ſay, only to juſtify " my ſelf, and not to inflame others: Though I cannot " but think my Earneſtneſs in that matter has had no ſmall " Influence in my preſent Sufferings. But I have now " done with this World, and am going to a Kingdom " which cannot be moved.

" And as to the conſpiring to ſeize the Guards, which is " the Crime for which I am condemned, and which was " made a conſtructive Treaſon for taking away the King's " Life, to bring it within the Statute of *Edw.* the 3*d*. I " ſhall give this true and clear Account. I never was at Mr. " *Shepheard*'s with that Company but once, and there was " no undertaking then of ſecuring, or ſeizing the Guards; " non one appointed to view or examine them: Some " Diſcourſe there was of the Feaſibleneſs of it; and ſeveral " times by accident in general Diſcourſe elſewhere, I have " heard it mention'd, as a thing might eaſily be done, but " never conſented to as fit to be done. And I remember " particularly at my Lord *Shaftsbury*'s, there bieng ſome " general Diſcourſe of this kind, I immediately flew out

" and

" and exclaim'd againſt it, and ask'd, If the thing ſucceed-
" ed, what muſt be done next but maſſacring the Guards,
" and killing them in cold Blood? Which I looked upon
" as ſo deteſtable a thing, and ſo like a Popiſh Practice,
" that I could not but abhorr it. And at the ſame time
" the Duke of *Monmouth* took me by the Hand, and told
" me very kindly, My Lord, I ſee you and I are of a
" Temper; Did you ever hear ſo horrid a thing? And I
" muſt needs do him that Juſtice to declare, that I ne-
" ver obſerved in him but an Abhorrence to all baſe
" things.

" As to my going to Mr. *Shepheard*'s, I went with an
" Intention to taſte *Sherry*; for he had promiſed me to
" reſerve for me the next very good Piece he met with,
" when I went out of Town; and if he recollects, he may
" remember I ask'd him about it, and he went and fetch'd
" a Bottle; but when I taſted it, I ſaid 'twas hot in the
" Mouth; and deſired that whenever he met with a
" choice Piece, he would keep it for me: which he pro-
" miſed. I enlarge the more upon this, becauſe Sir *Geo.*
" *Jefferies* inſinuated to the Jury, as if I had made a Sto-
" ry about going thither; but I never ſaid, that was the
" only Reaſon: And I will now truly and plainly add
" the reſt.

" I was the day before this Meeting come to Town,
" for two or three days, as I had done once or twice be-
" fore; having a very near and dear Relation lying in
" a very languiſhing and deſperate condition: And the
" Duke of *Monmouth* came to me, and told me, he was
" extreamly glad I was come to Town; for my Lord
" *Shaftsbury* and ſome hot Men would undo us all: How
" ſo, my Lord, I ſaid? Why (anſwered he) they'l
" certainly do ſome diſorderly thing or other, if great
" Care be not taken; and therefore for God's ſake uſe
" your Endeavours with your Friends, to prevent any
" thing of this kind. He told me there would be Com-
" pany at Mr. *Shepheard*'s that Night, and deſired me to
" be at home in the Evening, and he would call me;
" which he did: And when I came into the Room, I

" ſaw

" ſaw Mr. *Rumſey* by the Chimney, though he ſwears he " came in after ; and there were things ſaid by ſome " with much more Heat than Judgment, which I did " ſufficiently diſapprove ; and yet for theſe things I ſtand " Condemned: But I thank God my part was ſincere, and " well meant. It is, I know, inferred from hence, and was " preſſed to me, that I was acquainted with theſe Heats and " ill Deſigns, and did not diſcover them ; but this is " but Miſpriſion of Treaſon at moſt: So I die innocent " of the Crime I ſtand Condemn'd for ; and I hope no " body will imagine that ſo mean a thought could enter " into me, as to go about to ſave my ſelf by accuſing " others. The part that ſome have acted lately of that " kind, has not been ſuch as to invite me to love Life at " ſuch a rate.

" As for the Sentence of Death paſſed upon me; I can- " not but think it a very hard one. For nothing was " ſworn againſt me (whether true or falſe, I will not " now examine) but ſome Diſcourſes about making ſome " Stirs. And this is not Levying War againſt the King, " which is Treaſon by the Statute of *Edward* the Third, " and not the Conſulting and diſcourſing about it, which " was all that was witneſſed againſt me : But, by a ſtrange " Fetch, the deſign of ſeizing the Guards was conſtru- " ed a deſign of killing the King ; and ſo I was in that " Caſt.

" And now I have truly and ſincerely told what my " part was in that, which cannot be more than a bare Miſ- " priſion ; and yet I am Condemned as guilty of a deſign " of killing the King. I pray God lay not this to the " charge, neither of the Kings Councel, nor Judges, nor " Sheriffs, nor Jury : And for the Witneſſes, I pity them, " and wiſh them well. I ſhall not reckon up the Parti- " culars wherein they did me wrong ; I had rather their " own Conſciences ſhould do that ; to which, and the " Mercies of God, I leave them : Only I ſhall averr, that " what I ſaid of my not hearing Col. *Rumſey* deliver any " Meſſage from my Sord *Shaftsbury*, was true ; for I " always deteſted Lying, thô never ſo much to my ad-

" van-

" vantage, And I hope none will be ſo unjuſt and un-
" charitable, as to think I would venture on it in theſe
" my laſt Words, for which I am ſo ſoon to give an ac-
" count to the Great God, the Searcher of Hearts, and
" Judge of all Things.

" From the time of chooſing Sheriffs, I concluded,
" the Heat in that matter would produce ſomething of
" this kind; and I am not much ſurprized to find it fall
" upon me: And I wiſh what is done to me, may put a
" ſtop, and ſatiate ſome Peoples Revenge, and that no more
" innocent Blood be ſhed; for I muſt, and do ſtill look
" look upon mine as ſuch, ſince I know I was guilty of
" no Treaſon; and therefore I would not betray my In-
" nocence by Flight; of which I do not (I thank God)
" yet repent (thô much preſſed to it) how fatal ſoever
" it may have ſeemed to have proved to me; for I look
" upon my death in this manner, (I thank God)
" with other eyes than the World does. I know I
" ſayd but little at the Tryal, and I ſuppoſe it looks
" more like Innocence than Guilt. I was alſo adviſ'd
" not to confeſs Matter of Fact plainly, ſince that muſt
" certainly have brought me within the Guilt of Miſpri-
" ſion. And being thus reſtrained from dealing frank-
" ly and openly, I choſe rather to ſay little, than to de-
" part from that Ingenuity, that, by the Grace of God,
" I had carried along with me in the former parts of my
" Life, and ſo could eaſier be ſilent, and leave the
" whole Matter to the Conſcience of the Jury, than
" to make the laſt and ſolemneſt part of my Life ſo dif-
" ferent from the Courſe of it, as the uſing little Tricks
" and Evaſions muſt have been. Nor did I ever pre-
" tend to a great readineſs in ſpeaking; I wiſh thoſe
" Gentlemen of the Law who have it, would make more
" Conſcience in the uſe of it, and not run men down
" by Strains and Fetches, impoſe on eaſie and willing
" Juries, to the ruine of Innocent Men: For to kill by
" Forms and Subtilties of Law, is the worſt ſort of Mur-
" ther. But I wiſh the Rage of hot Men, and the Parti-
" alities of Juries, may be ſtopp'd with my blood, which

" I

"I would offer up with ſo much the more Joy, if I "thought I ſhould be the laſt were to ſuffer in ſuch a "way.

"Since my Sentence, I have had but few Thoughts, "but Preparatory ones for Death: Yet the Impor- "tunity of my Friends, and particularly of the Beſt and "Deareſt Wife in the World, prevailed with me to ſign "Petitions, and make an Addreſs for my Life: To "which I was very averſe. For (I thank God) thô "in all reſpects I have lived one of the happieſt, and con- "tented'ſt Men of the World, (for now very near four- "teen years) yet I am ſo willing to leave all, that it was "not without Difficulty, that I did any thing for the "ſaving of my Life, that was Begging. But I was wil- "ling to let my Friends ſee what Power they had over "me, and that I was not Obſtinate nor Sullen, but would "do any thing that an honeſt Man could do for their "Satisfaction; which was the only Motive that ſway'd, "or had any weight with me.

"And now to ſumme up all: As I never had any "Deſign againſt the King's Life, or the Life of any "Man whatſoever; ſo I never was in any Contrivance "of altering the Government. What the Hearts, Wic- "kedneſs, Paſſions and Vanities of other Men have oc- "caſioned, I ought not to be anſwerable for; nor "could I repreſs them, thô I now Suffer for them: "But the Will of the Lord be done; into whoſe Hands "I commend my Spirit; and truſt that Thou, O moſt "Merciful Father, haſt forgiven me all my Tranſgreſſi- "ons, the Sins of my Youth, and all the Errors of "my paſt Life; and that Thou wilt not lay my ſe- "cret Sins and Ignorances to my Charge, but will gra- "ciouſly ſupport me, during that ſmall part of my "Time now before me, and aſſiſt me in my laſt Mo- "ments, and not leave me then to be diſorder'd by "Fear, or any other Temptation; but make the Light "of thy Countenance to ſhine upon me, for Thou art "my Sun, and my Shield: And as Thou ſupporteſt "me by thy Grace, ſo I hope thou wilt hereafter

"Crown

"Crown me with Glory, and receive me into the "Fellowſhip of Angels and Saints, in that Bleſſed "Inheritance purchaſed for me by my moſt mer-"ciful Redeemer; who is, I truſt, at thy Right Hand, "preparing a place for me, and is ready to receive "me: Into whoſe Hands I commend my Spirit.

After which he kneeled down, and prayed for ſome time to himſelf; then Dr. *Tillotſon* kneeling down, prayed very heartily with him: which being done, he kneeled down again, and prayed a ſecond time by himſelf; and when he had done, he roſe up, and without the leaſt change of Countenance, or any appearance of fear, or diſturbance of mind, pulled off his Wigg, and put on his Cap; then taking off his Cravat and his Coat, he gave the Executioner ſeveral Guinies, and bade him, after he had layn down ſome little time, do his Office, without expecting a ſign; and having ſo done, he embraced Dr. *Tillotſon* and Dr. *Burnet* with much affection, and thanked them for the pains and trouble they had been at for him; and then lying down, he placed his Neck on the Block; and the Executioner miſſing at his firſt ſtroke, (altho with that many ſaid he took away Life, and ſo prevented his ſenſe of pain) at two more ſevered his Head from his Body: Which being done, the Executioner held up his Head to the People, as is uſual in caſes of Treaſon; but it was obſerved, that when his Head was ſtruck off, there was no ſhout given by the people, as is common in ſuch Caſes, which was very much wondred at by many.

The King having given his Body to his Friends, to be diſpoſed of as they pleaſed, as ſoon as the Execution was over, they took it, and having put it into a Coffin, carried it away in a Mourning Hearſe, ſeveral of his Friends and Servants in Coaches, following the Hearſe: He was buried at *Chenys* in *Buckingham-ſhire*, among his Anceſtors.

FINIS.